

# FTA Section 5310 Program Overview & Grant Application Instructions

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## “Enhanced Mobility of Seniors and Individuals with Disabilities Program

**Multimodal Operations Division – Transit Section**

**1/9/2015**

### Americans with Disabilities Act (ADA) and Limited English Proficiency (LEP) Information

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**January 9, 2015**

**Missouri Department of Transportation (MoDOT)**  
**Grant Application Instructions and Program Overview for**  
**Federal Transit Administration (FTA) Section 5310 Program (49 USC 5310) (CFDA 20.513)**  
**“ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM “**

**I. Introduction**

**A. Welcome Remarks**

Welcome to MoDOT’s newest (2015) application packet for the FTA Section 5310 Program. Although a long-standing program over several decades, many recent changes to the 5310 Program at the federal level have significantly broadened the types of project activities eligible for funding, increased the kinds of organizations / applicants that can now be considered for such funding as well as created changes in which organizations, in addition to MoDOT, now administer these Section 5310 grants.

Please read this program overview and application instruction packet carefully.

You may direct questions to MoDOT about Section 5310 program administration in Missouri to:

Transit Section - Multimodal Operations Division  
Missouri Department of Transportation  
105 W. Capitol  
P.O. Box 270  
Jefferson City, MO 65102-0270

Telephone (573) 526-5500

E-mail: [Transit@modot.mo.gov](mailto:Transit@modot.mo.gov)

**B. What is the FTA Section 5310 Program?**

The Section 5310 program was established in 1975 as a discretionary capital assistance program. In cases where public transit was unavailable, insufficient, or inappropriate, the program awarded grants to private nonprofit organizations to serve the transportation needs of seniors and persons with disabilities. FTA (then the Urban Mass Transportation Administration [UMTA]) apportioned the funds among the states by formula for distribution to local agencies, a practice made a statutory requirement by the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA).

In the early years of the program, many of the subrecipient nonprofit agencies used the vehicles primarily for transportation of their own clients. Funding for the Section 16 program, as it was then known, ranged between \$20 million and \$35 million annually nationwide until the passage of ISTEA, when it increased to the \$50 million to \$60 million range. ISTEA also introduced the eligibility of public agencies under limited circumstances to facilitate and encourage the coordination of human service transportation.

Increasingly, FTA guidance encouraged and required coordination of the program with other federal human service transportation programs. In lieu of purchasing vehicles, acquisition of service in order to promote use of private sector providers and coordination with other human service agencies and public transit providers was made an eligible expense under ISTEA. Other provisions of ISTEA introduced the ability to transfer flexible funds to the program from certain highway programs and the flexibility to transfer funds from the Section 5310 program to the rural and urban formula programs.

With the codification of federal transit laws in 1994, the “Section 16” program became the “Section 5310” program. The Transportation Equity Act for the 21st Century (TEA-21) enacted in 1998, reauthorized the Section 5310 program. TEA-21 increased the authorized funding levels for the Section 5310 program but made no significant program changes. In 2005, Congress enacted SAFETEA-LU. SAFETEA-LU introduced the requirement that Section 5310 projects be derived from a locally developed, coordinated public transit-human service transportation plan; removed the flexibility that funds can be transferred to Section 5311 for Section 5311 program purposes during the fiscal year apportioned, if funds were not needed for Section 5310 program purposes; introduced a seven state pilot program that allowed selected states to use up to one-third of the funds apportioned to them for operating assistance; and allowed transfers to Section 5307 or 5311, but only to fund projects selected for Section 5310 program purposes.

Congress enacted The Moving Ahead for Progress in the 21st Century Act (MAP-21) on July 6, 2012, and the law became effective on October 1, 2012. MAP-21 repealed the New Freedom program (49 U.S.C. 5317) and merged the New Freedom program into the Section 5310 program. As a result of this merger of programs, activities eligible under the New Freedom program are now eligible under Section 5310, and, consistent with Section 5317, funds are apportioned among large urbanized areas, small urbanized areas, and rural areas, instead of only to states, as the law previously provided. The apportionment is based on the population of seniors and individuals with disabilities in large UZAs, small UZAs, and rural areas. MAP-21 authorized nationwide \$254,800,000 for FY 2013 and \$258,300,000 for FY 2014, which is an increase over the SAFETEA-LU authorized amount of \$226,000,000 for FY 2012 for the Section 5310 and Section 5317 programs combined.

In addition to the types of projects eligible under the traditional Section 5310 program and the former New Freedom program, a new eligible activity is public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit. MAP-21 requires that not less than 55 percent of a recipient’s Section 5310 funds be available for capital projects that are “traditional” Section 5310 projects. A recipient may use more of its Section 5310 funds for these capital projects, but may not use less.

### **C. MoDOT’s role in administering the Sec. 5310 program in Missouri**

The Missouri Department of Transportation (<http://www.modot.org/>) is the designated recipient of Federal Transit Administration (FTA) Section 5310 (49 USC 5310) program funding for portions of Missouri that include all non-urbanized (rural) locations in Missouri as well as the Census small urbanized areas in the 50,000 – 199,999 population range. The Census small urbanized areas in Missouri are Cape Girardeau, Columbia, Jefferson City, Joplin, Lee’s Summit and St. Joseph. MoDOT’s Section 5310 grant application is ONLY for projects proposed in those rural and small urbanized areas of the state. This Section 5310 grant administration is performed by the Transit Section within MoDOT’s Multimodal Operations Division (<http://www.modot.org/Multimodal/index.htm>).

For the Census large urbanized areas (200,000+ population) in Missouri (St. Louis, Kansas City and Springfield), the relevant Section 5310 application forms are available from each urbanized areas' respective metropolitan planning organization (MPO). For St. Louis, the MPO is the East-West Gateway Council of Governments (<http://www.ewgateway.org/>); for Kansas City the MPO is the Mid-America Regional Council (<http://www.marc.org/>); and for Springfield the MPO is the Ozarks Transportation Organization (<http://www.ozarkstransportation.org/>).

Beginning with FFY 2013 funding, MoDOT's Section 5310 program role in the Missouri portion of the St. Louis urbanized area is to administer the selected "traditional" Section 5310 projects. MoDOT's Section 5310 Program role in Springfield is to administer most selected projects, except those to be undertaken by Springfield City Utilities – Transit Division. All Section 5310 grants for the Kansas City urbanized area starting with FFY 2013 funding will be administered by the Kansas City Area Transportation Authority .

#### **D. Contents of this Application Instructions & Program Overview**

The balance of this Application Instructions and Program Overview will cover the following topics:

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## II. What has changed?

### A. New and Expanded Project Eligibility Categories

Section III describes in detail the new framework of projects eligible for funding in the Section 5310 program starting with FFY 2013 funds. Up to this point in time, the “tradition” in Missouri for Sec. 5310 was to fund either replacement vehicles or vehicles supporting expanded mobility services by non-profit organizations serving either seniors and / or individuals with disabilities in instances where public transportation was unavailable, or insufficient, or inappropriate. The FTA has a more expansive definition of eligible “traditional projects” in 5310 that are also described in Section III of this packet.

Now eligible for funding in Section 5310 are mobility projects beyond the requirements of the ADA previously eligible for funding in the former Section 5317 New Freedom Program, with the caveat that such projects to be eligible need NOT have been first operated on or after than August 10, 2005.

Now eligible for funding are projects that improve fixed route transit service access and reduce the reliance on the ADA complementary paratransit that is required for those fixed route transit services.

Also, now eligible are “alternatives” to public transportation that enhance mobility for seniors and / or individual with disabilities. Applicants for such “alternative projects” may be for-profit organizations as long as the proposed project is offered on a shared-use; shared-ride basis.

### B. Funding Apportioned to Urbanized Areas and to Rural Missouri

Prior to FFY 2013, the annual apportionment of Section 5310 funds to Missouri was a single amount that was administered by MoDOT. In turn, MoDOT sub-allocated the statewide apportionment with each urbanized area allocated a portion based on Census population and the non-urbanized (rural) portions of Missouri with its own Census population allocated share of that funding.

With the passage of MAP-21, the FTA now apportions the Section 5310 funding individually to each Census large urbanized area (in Missouri’s case that is to the St. Louis MO / IL urbanized area, the Kansas City, MO / KS urbanized area and the Springfield, MO urbanized area); an apportionment for Missouri’s small urbanized areas (50,000 – 199,999 population) as a single group amount as well as an apportionment of Section 5310 funds to Missouri’s non-urbanized (rural) areas of the state. For FFY 2013 and FFY 2014, those apportioned amounts are as follows:

Federal Fiscal Year (FFY) 2013 and 2014 Section 5310 Apportioned Amounts

<u>Apportionment Area</u>	<u>FFY 2013</u>	<u>FFY 2014</u>
St. Louis Area (MO / IL)	\$1,979,823	\$1,892,112
Kansas City Area (MO / KS)	\$1,234,386	\$1,221,677
Springfield, MO Area	\$250,119	\$256,575
Small Urbanized – Missouri	\$746,774	\$730,066
Non-Urbanized / Rural – Missouri	\$1,620,574	\$1,630,898

### **C. Others In Addition to MoDOT Will Award Sec. 5310 Grants in Missouri**

MoDOT no longer administers the Section 5310 program on a statewide basis. MoDOT continues to administer Section 5310 in the non-urbanized (rural) areas of Missouri and continues to administer the Section 5310 program in the small urbanized portions of Missouri.

In St. Louis, MoDOT will administer the “traditional” Section 5310 Missouri projects with Bi-State METRO administering the former New Freedom – type grants now eligible in Section 5310.

In Kansas City, the Kansas City Area Transportation Authority will administer all Section 5310 grants beginning with FFY 2013 funds. MoDOT will continue to have oversight responsibilities for those Section 5310 projects funded with FFY 2012 and prior years’ funds.

In Springfield, MoDOT will administer most Section 5310 grants with Springfield City Utilities – Transit Division administering the Section 5310 grants for which it is the project sponsor.

## **III. Eligible Activities / Eligible Projects**

### **A. So-called “Traditional” Section 5310 Projects,**

In Missouri, for Section 5310 grants funded with FFY 2012 and prior years funds, the “tradition” in project selection was to fund either replacement vehicles or vehicles that supported expanded mobility services for seniors and or / individuals with disabilities.

However, the FTA in its program guidance for the Sec. 5310 program (FTA C 9070.1G - [http://www.fta.dot.gov/legislation\\_law/12349\\_16011.html](http://www.fta.dot.gov/legislation_law/12349_16011.html) ) describes what FTA terms “traditional” Section 5310 projects for the purposes of meeting the 55% funding floor. That funding floor with respect to traditional projects is described in greater detail in Section X . Project Selection Process within this packet. Below is FTA’s description of the category of eligible “traditional” 5310 projects:

- a. Rolling stock and related activities for Section 5310-funded vehicles
  - (1) Acquisition of expansion or replacement buses or vans, and related procurement, testing, inspection, and acceptance costs (*note – the Missouri formerly traditional projects*);
  - (2) Vehicle rehabilitation or overhaul;
  - (3) Preventive maintenance;
  - (4) Radios and communication equipment; and
  - (5) Vehicle wheelchair lifts, ramps, and securement devices.
- b. Passenger facilities related to Section 5310-funded vehicles
  - (1) Purchase and installation of benches, shelters, and other passenger amenities.
- c. Support facilities and equipment for Section 5310-funded vehicles

- (1) Extended warranties that do not exceed the industry standard;
  - (2) Computer hardware and software;
  - (3) Transit-related intelligent transportation systems (ITS);
  - (4) Dispatch systems; and
  - (5) Fare collection systems.
- d. Lease of equipment when lease is more cost effective than purchase. Note that when lease of equipment or facilities is treated as a capital expense, the recipient must establish criteria for determining cost effectiveness in accordance with FTA regulations, "Capital Leases," 49 CFR part 639 and OMB Circular A-94, which provides the necessary discount factors and formulas for applying the same;
- e. Acquisition of transportation services under a contract, lease, or other arrangement. This may include acquisition of ADA-complementary paratransit services when provided by an eligible recipient or subrecipient. Both capital and operating costs associated with contracted service are eligible capital expenses. User-side subsidies are considered one form of eligible arrangement. Funds may be requested for contracted services covering a time period of more than one year. The capital eligibility of acquisition of services as authorized in 49 U.S.C. 5310(b)(4) is limited to the Section 5310 program;
- f. Support for mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a nonprofit agency could receive Section 5310 funding to support the administrative costs of sharing services it provides to its own clientele with other seniors and/or individuals with disabilities and coordinate usage of vehicles with other nonprofits, but not the operating costs of service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management activities may include:
- (1) The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals;
  - (2) Support for short-term management activities to plan and implement coordinated services;
  - (3) The support of state and local coordination policy bodies and councils;
  - (4) The operation of transportation brokerages to coordinate providers, funding agencies, and passengers;

- (5) The provision of coordination services, including employer-oriented transportation management organizations' and human service organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip planning activities for customers;
  - (6) The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and
  - (7) Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of geographic information systems (GIS) mapping, global positioning system technology, coordinated vehicle scheduling, dispatching and monitoring technologies, as well as technologies to track costs and billing in a coordinated system, and single smart customer payment systems. (Acquisition of technology is also eligible as a standalone capital expense).
- g. Capital activities (e.g., acquisition of rolling stock and related activities, acquisition of services, etc.) to support ADA-complementary paratransit service may qualify toward the 55 percent requirement, so long as the service is provided by an eligible recipient/subrecipient as defined in section 5, above, and is included in the coordinated plan.

**B. Beyond minimum requirements of ADA, (formerly in Sec. 5317),**

The following activities are examples of eligible projects meeting the definition of public transportation service that is beyond the ADA.

- (1) Enhancing paratransit beyond minimum requirements of the ADA. ADA-complementary paratransit services can be eligible under the Section 5310 program in several ways:
  - (a) Expansion of paratransit service parameters beyond the three-fourths mile required by the ADA;
  - (b) Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services;
  - (c) The incremental cost of providing same day service;
  - (d) The incremental cost (if any) of making door-to-door service available to all eligible ADA paratransit riders, but not on a case-by-case basis for individual riders in an otherwise curb-to-curb system;
  - (e) Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;



- (f) Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA regulations, 49 CFR part 38 (i.e., larger than 30" × 48" and/or weighing more than 600 pounds), and labor costs of aides to help drivers assist passengers with oversized wheelchairs. This would permit the acquisition of lifts with a larger capacity, as well as modifications to lifts with a 600-pound design load, and the acquisition of heavier duty vehicles for paratransit and/or demand-response service in order to accommodate lifts with a heavier design load; and
  - (g) Installation of additional securement locations in public buses beyond what is required by the ADA.
- (2) Feeder services. Accessible "feeder" service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA.

**C. Improve fixed route access; reduce reliance on ADA paratransit**

The following activities are examples of eligible projects that improve accessibility to the fixed-route system.

- (1) Making accessibility improvements to transit and intermodal stations not designated as key stations. Improvements for accessibility at existing transportation facilities that are not designated as key stations established under 49 CFR 37.47, 37.51, or 37.53, and that are not required under 49 CFR 37.43 as part of an alteration or renovation to an existing station, so long as the projects are clearly intended to remove barriers that would otherwise have remained. Section 5310 funds are eligible to be used for accessibility enhancements that remove barriers to individuals with disabilities so they may access greater portions of public transportation systems, such as fixed-route bus service, commuter rail, light rail, and rapid rail. This may include:
- (a) Building an accessible path to a bus stop that is currently inaccessible, including curbcuts, sidewalks, accessible pedestrian signals, or other accessible features;
  - (b) Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA;
  - (c) Improving signage or wayfinding technology; or
  - (d) Implementation of other technology improvements that enhance accessibility for people with disabilities including ITS.
- (2) Travel training. Training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.

#### **D. Alternatives to public transit to enhance mobility for seniors and individuals with disabilities**

The following activities are examples of projects that are eligible public transportation alternatives.

- (1) Purchasing vehicles to support accessible taxi, ride-sharing, and/or vanpooling programs. Section 5310 funds can be used to purchase and operate accessible vehicles for use in taxi, ride-sharing, and/or vanpool programs provided that the vehicle meets the same requirements for lifts, ramps, and securement systems specified in 49 CFR part 38, subpart B, at a minimum, and permits a passenger whose wheelchair can be accommodated pursuant to part 38 to remain in his/her personal mobility device inside the vehicle.
- (2) Supporting the administration and expenses related to voucher programs for transportation services offered by human service providers. This activity is intended to support and supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Vouchers can be used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The Section 5310 program can provide vouchers to seniors and individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient for payment based on predetermined rates or contractual arrangements. Transit passes or vouchers for use on existing fixed-route or ADA complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (federal/local) match.
- (3) Supporting volunteer driver and aide programs. Volunteer driver programs are eligible and include support for costs associated with the administration, management of driver recruitment, safety, background checks, scheduling, coordination with passengers, other related support functions, mileage reimbursement, and insurance associated with volunteer driver programs. The costs of enhancements to increase capacity of volunteer driver programs are also eligible. FTA encourages communities to offer consideration for utilizing all available funding resources as an integrated part of the design and delivery of any volunteer driver/aide program.

#### IV. **Eligible Recipients / Project Owners**

- A. Eligible Sub-recipients for “Traditional” Sec. 5310 Project Funding
1. A private nonprofit organization, or
  2. A state or local governmental authority that:
    - a) *is approved by a state to coordinate services for seniors and individuals with disabilities; or,*
    - b) *Certifies that there are no nonprofit organizations readily available in the area to provide the service,*
- B. Eligible Sub-recipients for All Other Sec. 5310 Project Funding
1. A state or local governmental authority,
  2. A private nonprofit organization,
  3. An operator of public transportation,
  4. Private taxi companies providing shared-ride transportation

#### V. **Apportionment of Funding by Geography & Where to Apply**

##### **A. St. Louis,**

<u>Apportionment Area</u>	<u>FFY 2013</u>	<u>FFY 2014</u>
St. Louis Area (MO / IL)	\$1,979,823	\$1,892,112

For Sec. 5310 projects to be conducted in the St. Louis urbanized area, applications are obtained from and submitted to the East-West Gateway Council of Governments (<http://www.ewgateway.org/> )

##### **B. Kansas City,**

<u>Apportionment Area</u>	<u>FFY 2013</u>	<u>FFY 2014</u>
Kansas City Area (MO / KS)	\$1,234,386	\$1,221,677

For Sec. 5310 projects to be conducted in the Kansas City urbanized area, applications are obtained from and submitted to the Mid-America Regional Council (<http://www.marc.org/> )

### **C. Springfield**

<u>Apportionment Area</u>	<u>FFY 2013</u>	<u>FFY 2014</u>
Springfield, MO Area	\$250,119	\$256,575

For Sec. 5310 projects to be conducted in the Springfield urbanized area, applications are obtained from and submitted to the Ozarks Transportation Organization (<http://www.ozarkstransportation.org/> )

### **D. Small Urbanized Metros (50,000 – 199,999 population),**

<u>Apportionment Area</u>	<u>FFY 2013</u>	<u>FFY 2014</u>
Small Urbanized – Missouri	\$746,774	\$730,066

For Sec. 5310 projects to be conducted in one of Missouri’s small urbanized areas listed below, applications are obtained on-line from and submitted to MoDOT, by mail, (<http://www.modot.org/othertransportation/transit/transitapplicationsreportsprograms.htm> )

1. **Cape Girardeau,**
2. **Columbia,**
3. **Jefferson City,**
4. **Joplin,**
5. **Lee’s Summit,**
6. **St. Joseph,**

### **E. Non-urbanized / Rural Portions of Missouri**

<u>Apportionment Area</u>	<u>FFY 2013</u>	<u>FFY 2014</u>
Non-Urbanized / Rural – Missouri	\$1,620,574	\$1,630,898

For Sec. 5310 projects to be conducted in one of Missouri’s non-urbanized (rural) areas, applications are obtained on-line from and submitted to MoDOT, by mail (<http://www.modot.org/othertransportation/transit/transitapplicationsreportsprograms.htm> )

## **VI. Planning Requirements**

### **A. Public Transit – Human Service Transportation Coordination**

Federal transit law, as amended by MAP-21, requires that projects selected for funding under the Section 5310 program be “included in a locally developed, coordinated public transit-human services transportation plan” and that the plan be “developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers and other members of the

public. FTA maintains flexibility in how projects appear in the coordination plan. Projects may be identified as strategies, activities, and/or specific projects addressing an identified service gap or transportation coordination objective articulated and prioritized within the plan.

In Missouri, these public transit human service transportation coordination plans have been accomplished by metropolitan planning organizations (MPO's) in urbanized areas and by regional planning commissions (RPC's) in all other areas of the state. Internet links to the small urbanized MPO coordination plans and the non-urbanized (rural) RPC coordination plans appear, below:

**Links to Small Urbanized Areas Coordination Plan Information:**

<http://semorpc.org/assets/transportation/SEMO%20RPC%202013%20Transit%20Plan.pdf>

**Cape Girardeau – Southeast MO Regional Planning Coordination Plan link (above)**

[http://www.gocolumbiamo.com/community\\_development/planning/boards\\_and\\_commissions/catso/documents/2013PTHSCPUupdateadopted22813.pdf](http://www.gocolumbiamo.com/community_development/planning/boards_and_commissions/catso/documents/2013PTHSCPUupdateadopted22813.pdf)

[http://www.gocolumbiamo.com/community\\_development/planning/boards\\_and\\_commissions/catso/PublicTransitSupportingDocs.php](http://www.gocolumbiamo.com/community_development/planning/boards_and_commissions/catso/PublicTransitSupportingDocs.php)

**Columbia (CATSO) Coordination Plan links (above)**

<http://www.jeffcitymo.org/pps/campo/documents/2012CoordinatedHumanServicesTransportationPlan-AdoptedOctober172012.pdf>

**Jefferson City (CAMPO) Coordination Plan link (above)**

<http://www.joplinmo.org/DocumentCenter/View/3231>

**Joplin (JATSO) Coordination Plan link (above)**

[http://www.marc.org/2040/assets/plan/5.0\\_PublicTransportation.pdf](http://www.marc.org/2040/assets/plan/5.0_PublicTransportation.pdf)

**Lee's Summit (MARC) Coordination Plan link (above)**

<http://stjoempo.org/wp-content/uploads/2013/04/mpoSJATSO.pdf>

**St. Joseph Coordination Plan presentation link (above)**

**Links to Non-Urbanized (Rural) Areas Coordination Plan Information:**

<http://boonslick.org/wp-content/uploads/2013/03/Boonslick-PTHST-2013-Plan.pdf>

**Boonslick RPC Coordination Plan** (*Counties of Lincoln, Montgomery and Warren*)

<http://www.bootrpc.com/Brpc%20Frames%20Page/TRANSIT%20Plan-2013%20new.pdf>

**Bootheel RPC & EDC** (*Counties of Dunklin, Mississippi, New Madrid, Pemiscott, Scott & Stoddard*)

**Links to Non-Urbanized (Rural) Areas Coordination Plan Information (*continued*):**

<http://www.ewgateway.org/progproj/chstp/chstp-final.pdf>

**East-West Gateway Council of Governments** - (*Counties of Franklin, Jefferson, St. Charles & St. Louis*)

<http://www.ghrpc.org/Documents/GHRPC%20Transit%20Study%202012.pdf>

**Green Hills RPC** (*Counties of Caldwell, Carroll, Chariton, Daviess, Grundy, Harrison, Linn, Livingston, Mercer, Putnam & Sullivan*)

[http://media.wix.com/ugd/3a9123\\_f35972c6bea34b80a10a610325d70bd4.pdf](http://media.wix.com/ugd/3a9123_f35972c6bea34b80a10a610325d70bd4.pdf)

**Harry S. Truman Coordinating Council** – (*Counties of Barton, Jasper, Newton & McDonald*)

Send e-mail to [austin@kaysinger.com](mailto:austin@kaysinger.com) or [Transit@modot.mo.gov](mailto:Transit@modot.mo.gov) for copy of plan

**Kaysinger Basin RPC** (*Counties of Bates, Benton, Cedar, Henry, Hickory, St. Clair & Vernon*)

<http://www.loclg.org/Lake%20of%20the%20Ozarks%20Regional%20Transportation%20Plan/Human%20Services%20Transportation%20Plan%202013%20FINAL.pdf>

**Lake of the Ozarks Council of Local Governments** (*Counties of Camden, Laclede, Miller & Morgan*)

<http://www.marktwaincog.com/wp-content/uploads/2013/03/Mark-Twain-Transit-Plan.pdf>

**Mark Twain Regional Council of Governments** (*Counties of Audrain, Macon, Marion, Monroe, Pike, Ralls, Randolph & Shelby*)

Send e-mail to [info@missourimeramecregion.org](mailto:info@missourimeramecregion.org) or [Transit@modot.mo.gov](mailto:Transit@modot.mo.gov) for copy of plan

**Meramec RPC** (*Counties of Crawford, Dent, Gasconade, Maries, Osage, Phelps, Pulaski & Washington*)

[http://www.marc.org/2040/assets/plan/5.0\\_PublicTransportation.pdf](http://www.marc.org/2040/assets/plan/5.0_PublicTransportation.pdf)

**Mid-America Regional Council** (*Counties of Cass, Clay, Jackson, Platte & Ray*)

<http://mmrpc.org/plans/Transportation/Coordinated%20Public%20Transit-Human%20Service%20Plan%202013.pdf>

**Mid-Missouri RPC** (*Counties of Boone, Callaway, Cole, Cooper, Howard & Moniteau*)

Send e-mail to [transportation@mo-kan.org](mailto:transportation@mo-kan.org) or [Transit@modot.mo.gov](mailto:Transit@modot.mo.gov) for copy of plan

**MO-Kan Regional Council** (*Counties of Andrew, Buchanan, Clinton & DeKalb*)

<http://www.nemorpc.org/wp-content/uploads/2014/03/PUBLIC-TRANSIT-plan-2013-FINAL-cover.pdf>

**Northeast Missouri RPC** (*Counties of Adair, Clark, Knox, Lewis, Schuyler & Scotland*)

**Links to Non-Urbanized (Rural) Areas Coordination Plan Information (*continued*):**

[http://test.nwmorcog.org/PDF&Word/FINAL\\_PTHST\\_PLAN.pdf](http://test.nwmorcog.org/PDF&Word/FINAL_PTHST_PLAN.pdf)

**Northwest Missouri Regional Council of Governments** (*Counties of Atchison, Holt, Gentry, Nodaway & Worth*)

<http://www.ofrpc.org/documents/PT-HSTDDocumentJune2013.pdf>

**Ozark Foothills RPC** (*Counties of Butler, Carter, Reynolds, Ripley & Wayne*)

Send e-mail to [info@trailsrcp.org](mailto:info@trailsrcp.org) or [Transit@modot.mo.gov](mailto:Transit@modot.mo.gov) for copy of coordination plan

**Pioneer Trails RPC** (*Counties of Johnson, Lafayette, Pettis & Saline*)

[http://www.scocog.org/uploads/9/0/4/8/9048504/cpthstp\\_draft\\_final.pdf](http://www.scocog.org/uploads/9/0/4/8/9048504/cpthstp_draft_final.pdf)

**South Central Ozark Council of Governments** (*Counties of Douglas, Howell, Oregon, Ozark, Shannon, Texas & Wright*)

<http://semorpc.org/assets/transportation/SEMO%20RPC%202013%20Transit%20Plan.pdf>

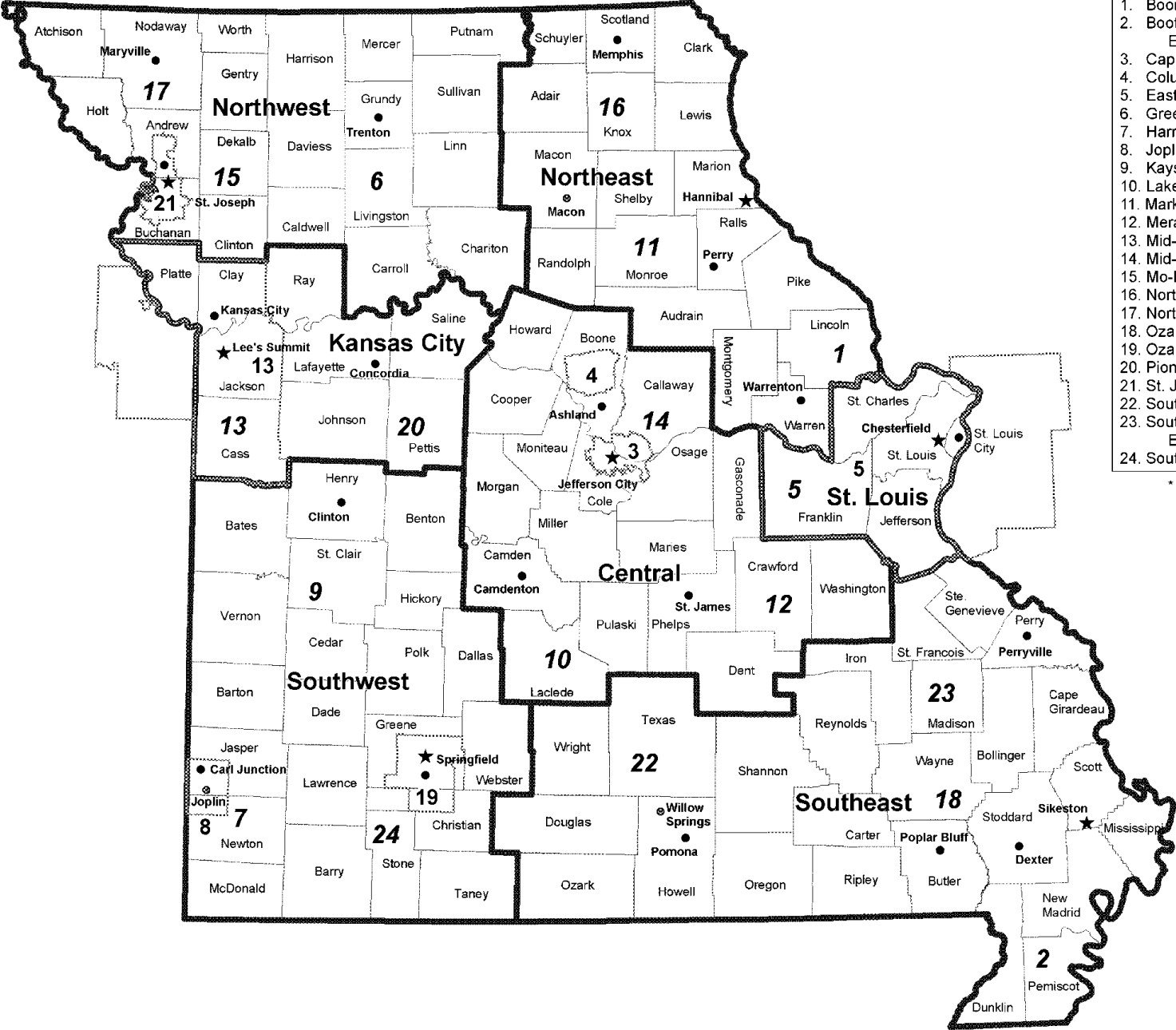
**Southeast Missouri RPC & EDC** (*Counties of Bolinger, Cape Girardeau, Iron, Madison, Perry, St. Francois & Ste. Genevieve*)

<http://smcog.missouristate.edu/PDF/Transit%20Coordination%20Plan%202013.pdf>

**Southwest Missouri Council of Governments** (*Barry, Christian, Dade, Dallas, Greene, Lawrence, Polk, Stone, Taney & Webster*)

*(remainder of this page purposefully blank)*

# Missouri Regional Planning Commissions and Metropolitan Planning Organizations



1. Boonslick Regional Planning Commission	636-456-3473
2. Bootheel Regional Planning & Economic Development Commission	573-614-5178
3. Capital Area Metropolitan Planning Organization	573-634-6410
4. Columbia Area Transportation Study Organization	573-874-7239
5. East-West Gateway Council of Governments*	314-421-4220
6. Green Hills Regional Planning Commission	660-359-5636
7. Harry S Truman Coordinating Council	417-782-3515
8. Joplin Area Transportation Study Organization	417-624-0820
9. Kaysinger Basin Regional Planning Commission	660-885-3393
10. Lake of the Ozarks Council of Local Governments	573-346-5692
11. Mark Twain Regional Council of Governments	573-565-2203
12. Meramec Regional Planning Commission	573-265-2993
13. Mid-America Regional Council*	816-474-4240
14. Mid-Missouri Regional Planning Commission	573-657-9779
15. Mo-Kan Regional Council	816-233-3144
16. Northeast Missouri Regional Planning Commission	660-465-7281
17. Northwest Missouri Regional Council of Governments	660-582-5121
18. Ozark Foothills Regional Planning Commission	573-785-6402
19. Ozarks Transportation Organization	417-864-5442
20. Pioneer Trails Regional Planning Commission	660-463-7934
21. St. Joseph Area Transportation Study Organization	816-271-4653
22. South Central Ozark Council of Governments	417-256-4226
23. Southeast Missouri Regional Planning & Economic Development Commission	573-547-8357
24. Southwest Missouri Council of Governments	417-836-6900

\* = Organizations functioning as both RPC and MPO  
(Boundaries for the Mid-America Regional Council RPC and MPO vary)

MoDOT District

19 Regional Planning Commission

7 Metropolitan Planning Organization

MoDOT District Office

Regional Office

RPC Office

MoDOT Districts 1-888-ASK-MODOT (275-6636)

Prepared by  
Missouri Department of Transportation  
Transportation Planning  
2217 St. Marys Blvd.  
Jefferson City, MO 65109  
Phone (573) 526-8058 Fax (573) 526-8052

June 27, 2011





## **B. Urbanized Area Transportation Improvement Plans (TIP's)**

The transportation improvement program (TIP) is a prioritized, financially constrained four-year program of federally supported projects addressing the most immediate implementation priorities from the MTP. The TIP is developed and adopted by the MPO as part of the metropolitan transportation planning process, thereby representing the consensus of state and local decision makers for allocating funds among the various capital and operating needs of the area.

Under federal law, the TIP:

- Covers a minimum four-year period of investment and is updated at least every four years;
- Is realistic in terms of available funding (known as a fiscally constrained TIP) and is not just a “wish list” of projects;
- Is incorporated into the statewide transportation improvement program (STIP); and
- Has projects that are drawn from, or consistent with, the MTP.

*Connections to the coordinated plan: All strategies proposed for funding under FTA's human services transportation programs, such as Section 5310, are required to be listed in the TIP, which may include discrete projects or more aggregated program-level information. For example: a nonprofit seniors vanpool service could be listed in the TIP if it received a Section 5310 funding federal grant, or the TIP may just reference the amount of Section 5310 funding available to the area on an annual basis.*

## **C. Long-Range Metropolitan Transportation Plans (MTP),**

The metropolitan transportation plan (MTP) is the official multimodal transportation plan that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process. The MTP represents the consensus of state and local officials in metropolitan areas of long-range (no less than twenty years) policies and investment priorities for the transportation system. The MTP includes both long-range and short-range program strategies/actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods.

The MTP long-range transportation plan has several elements, for example:

- Identify policies, strategies, and projects for the future;
- Determine project demand for transportation services over twenty years;
- Focus at the systems level, including roadways, transit, non-motorized transportation, and intermodal connections;

- Estimate costs and identify reasonably available financial sources for operation, maintenance, and capital investments; and
- Articulate regional land use, development, housing, mobility, and employment goals and plans.

*Connections to the coordinated plan: Projects or strategies serving human service transportation needs over the twenty-year planning horizon should be referenced in the MTP , by direct inclusion or by explicit reference to the coordinated plan.*

#### **D.     Statewide Transportation Improvement Program (STIP),**

The statewide transportation improvement program (STIP) is a statewide prioritized, financially constrained four-year program of federally supported projects that is consistent with the statewide long-range transportation plan, MTPs, and TIPs. Joint approval by FTA and FHWA of the STIP renders the projects, programs, and strategies contained eligible for funding under FTA and FHWA programs.

Under federal law, the STIP:

- Covers a minimum four-year period of investment and is updated at least every four years;
- Is realistic in terms of available funding (known as a fiscally constrained STIP) and is not just a “wish list” of projects; and
- Contains the projects, strategies, and programs of TIPs from throughout the state, as well as projects, programs, and strategies from non-metropolitan areas.

*Connections to the coordinated plan: All strategies proposed for funding under FTA’s human services transportation programs are required to be listed in the STIP, which may include discrete projects or more aggregated program-level information. For example: a nonprofit seniors vanpool service could be listed in the STIP if it received Section 5310 funding federal grant, or the STIP may just reference the amount of Section 5310 funding available to the area on an annual basis. Strategies and/or projects that receive federal funding are required to be listed in the STIP—verbatim or by reference to—the project listing included in TIPs of metropolitan areas of the state.*

#### **E.     Statewide Long-Range Transportation Plan (LRTP)**

The statewide long-range transportation plan (LRTP) is a comparable plan to the MTP including rural portions of the state as well as the MTP.

The statewide long-range transportation plan (LRTP) has several elements, for example

- Identify policies, strategies, and projects for the future;
- Determine project demand for transportation services over twenty years;
- Focus at the systems level, including roadways, transit, non-motorized transportation, and intermodal connections;
- Estimate costs and identify reasonably available financial sources for operation, maintenance, and capital investments; and
- Articulate regional land use, development, housing, mobility, and employment goals and plans.

*Connections to the coordinated plan: Projects or strategies serving human service transportation needs over the twenty-year planning horizon should be referenced in the statewide long-range transportation plan , by direct inclusion or by explicit reference to the coordinated plan.*

## **VII. Funding Requirements**

Section 5310 funds may be used to finance capital and operating expenses. The FTA’s federal share of eligible capital costs shall be in an amount no greater than 80 percent of the net cost of the activity. The FTA’s federal share of the eligible operating costs may not exceed 50 percent of the net operating costs of the activity. MoDOT may use up to 10 percent of the apportionment to support program administrative costs including administration, planning, and technical assistance, which may be funded at 100 percent federal share.

### **A. Matching Funds Requirements,**

The local share of eligible capital costs shall be not less than 20 percent of the net cost of the activity, and the local share for eligible operating costs shall be not less than 50 percent of the net operating costs.

### **B. Sources of Matching Funds**

The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a state or local service agency or private social service organization, or new capital. Some examples of these sources of local match include: state or local appropriations; dedicated tax revenues; private donations; revenue from service contracts; transportation development credits; and net income generated from advertising and concessions.

Income from contracts to provide human service transportation may be used either to reduce the net project cost (treated as revenue) or to provide local match for Section 5310 operating assistance. In either case, the cost of providing the contract service is included in the total project cost. No FTA program funds can be used as a source of local match for other FTA programs, even when used to contract for service. All sources of local match must be identified and described in the grant application at the time of grant award.

In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than USDOT programs, or from USDOT's Federal Lands Highway program. Examples of types of federal programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services. Specific program information for other types of federal funding is available at [www.unitedwreide.gov](http://www.unitedwreide.gov).

## **VIII. Applicable Regulatory Requirements Before & After Award**

### **A. FTA Annually Updated "Master Agreement" for Transit Grants**

The Federal Transit Administration (FTA) annually issues a Master Agreement that updates the description of all relevant federal requirements for all of FTA's programs. Certifications signed by the applicant in the Sec. 5310 grant application as well as signing the Sec. 5310 sub-recipient grant contract commit the applicant / sub-recipient to all relevant requirements. The FTA's Master Agreement document for FFY 2015 can be reviewed and obtained from FTA's web site at the following link:

<http://www.fta.dot.gov/documents/21-Master.pdf>

### **B. Requirements Before Award**

- 1. Fully completed application with signed certifications,**
- 2. D-U-N-S Number**

Any organization applying for a grant or cooperative agreement with funds from the federal government must have a DUNS number. This is a nine-digit identification number that provides a unique identification for single business entities. Applicant agencies that currently do not have a DUNS number can obtain one for free from Dun and Bradstreet ([www.dnb.com](http://www.dnb.com)). It takes about five weeks to receive a DUNS number after the information requested is imputed in the "Instructions on How to Obtain a DUNS Number."

### **3. E-Verify Employer / Applicant Enrollment and Certification**

For those Sec. 5310 applicant agencies that apply to receive \$5,000 or more annually in Sec. 5310 funds, Missouri State Statute section 285.530 RSMo applies. The applicant has enrolled in a federal work authorization program and agrees to abide by the provision contained in the Memorandum of Understanding the applicant entered into with the United States Department of Homeland Security. Documentation of enrollment/participation in a federal work authorization program is also required. Acceptable enrollment and participation documentation consists of the following: two pages of the E-Verify Memorandum of Understanding: (1) A valid, completed copy of the first page identifying the business entity; and (2) A valid copy of the signature page completed and signed by the business entity, the Social Security Administration, and the Department of Homeland Security – Verification Division. E-Verify program enrollment information can be obtained at the following link: <http://www.uscis.gov/e-verify/you-start>

### **4. Other (see also Section XVI starting on page 44)**

## **IX. Grant / Project Application Process**

### **A. MoDOT's FTA Section 5310 Grant Application Forms**

Depending on the type of project, applicants will fill out and complete either a application for Capital Projects (vehicles or equipment) or an application for Mobility Management Projects / Purchase of Service Projects / Fixed Route Service Access Projects / or Project Alternatives to Public Transit That Enhance the Mobility of Seniors and Individuals with Disabilities. Both application form packets as well as this Section 5310 grant information packet can be downloaded from MoDOT's web site from links at the following page:

<http://www.modot.org/othertransportation/transit/transitapplicationsreportsprograms.htm>

Additionally, mailed or e-mailed requests for Section 5310 Program grant application materials can be obtained from MoDOT's Transit Section at the following addresses:

Multimodal Operations, MoDOT, P.O. Box 270, Jefferson City, MO 65102-0270

E-mail: [Transit@modot.mo.gov](mailto:Transit@modot.mo.gov)

#### **1. Application for Capital Projects (Vehicles or Equipment)**

Applications to MoDOT for replacement or expansion vehicles as well as applications for equipment in support of mobility for seniors or individuals with disabilities are submitted to MoDOT using the application forms "For Capital Projects". The following provides guidance in completing the Section 5310 Application Forms for Capital Projects.

**Applicant Identification Page**

*Legal Name of Organization* – list legal name as show on articles of incorporation or charter,

*List all DBA names* – list all doing business as (DBA) names used by the applicant agency,

*Street Address* – physical location of main office of organization,

*Mailing address* – address where mail is to be sent including city state and Zip code

*City:* place / location of main office

*Zip+4:* Nine (9) digit postal code for main office

*County:* County location of main office

*Congressional District:* Applicant office's district

*State Senate District:* Missouri state senate district in which applicant's main office is located,

*State Representative District:* Missouri state house district location of applicant's main office

*RPC / MPO Plan:* Name of regional planning commission (RPC) or metropolitan planning organization (MPO) whose public transit – human services transportation coordination plan identifies the project in the application.

*Executive Director:* Name of applicants CEO

*Phone:* Telephone number for applicant CEO

*Contact Person:* Agency contact person for project

*Phone:* Telephone number for contact

*Federal Employer Identification Number (FEIN)* – can be found on applicant federal tax filings

*DUNS Number:* (see page 19 of this packet for DUNS number information)

*Date of Adoption of Agency's Title Vi Civil Rights Non-Discrimination Plan:* (see page 36)

*Non-profit Corporation Number* – as issued by Missouri Secretary of State

**Section 5310 Vehicle / Equipment Item Request Form Page (Appendix A)**

*Organization:* legal name of applicant organization

*Requesting:* check of vehicle / item for replacement, expansion or starting new service,

*VIN* – vehicle identification number of vehicle to be replaced

*Year* – year of vehicle to be replaced

*Make* – manufacturer of vehicle to be replaced

*Current odometer reading* – odometer mileage reading of vehicle to be replaced

*Vehicle condition:* circle, check or underline vehicle condition as poor, or fair, or good

*Type of Vehicle Requested:* check one vehicle type of those listed, or describe "other",

*Daily hours of actual transportation services that will be performed with this vehicle:* (Example: If you transport passengers from 7:00 – 9:00 a.m. and then again from 3:00 – 5:00 p.m., then enter four (4) daily hours).

*For Equipment (non-vehicle) requests* – describe the item, including estimated total cost.

*Type of Agency:* Describe type of applicant agency, such as Senate Bill 40 Board, Sheltered Workshop, Senior Center, etc.

*Major Funding Sources - Matching Funds for Section 5310 Grant* – Identify the specific sources and amounts of funds that will match the Section 5310 funds for the applied for project.

#### **Appendix B – For Vehicle / Equipment Acquisition Projects – Description of Service Area**

*Description of Transportation Service Provided in Relationship to Capital Project Request:* include days and hours of vehicle / equipment operation, geographic area of service supported and the type of clientele as well as how the vehicle or equipment will be used to support the mobility service for seniors and / or individuals with disabilities.)

*Service Area* – List the cities and counties to be served by the project in the application

*Trips per month* – Estimate the one-way trips per month supplied by the applied for capital item by the number of monthly elderly / senior one-way trips; the number of one-way trips service persons with disabilities and the number of one-way trips for other persons.

*Unduplicated persons per month* – Estimate the number of individuals in a month's time that will be served by the applied for capital item by the number of unduplicated elderly / senior individuals; and the number of unduplicated other individuals served.

*Type of Trips to be Provided* – Estimate the percentage of one-way trips delivered by the following categories of trip purposes (total of all entries should equal 100%) Medical, Education, Nutrition, Recreation, Shopping, Employment, and Other (if Other, describe the trip purposes).

#### **Vehicle Inventory – Appendix C**

*Year / Model* – Enter the year of manufacture and the model of vehicle reported

*Vehicle Type* – see vehicle type abbreviation at bottom of vehicle inventory page,

*Vehicle Serial Number* – also known as manufacturer's vehicle identification number (VIN),

*Lift – Ramp Equipped* – If lift or ramped equipped, enter Yes, otherwise, enter No,

*Seating Capacity* – total number of seating positions, not including driver's seat,

*Capital Funding Sources* – Federal & Local: State federal program and source of local match,

*Odometer Mileage* – state odometer mileage reading at end of most recent calendar year,

*Condition of Vehicle* – see Condition of Vehicle scale at bottom of vehicle inventory page

**Appendix D – Letters of Approval (Support)**

Provide in the application indication of local / regional support with letters from organizations such as the Area Agency on Aging, Regional Council for Developmental Disability, as well as local non-profit and for-profit (i.e. taxi companies) transportation providers.

**Appendix E – Publishers Affidavit for Public Notice**

Provide in the application a copy of a Publishers Affidavit of a public notice for the project. Sample notice wording appears, below:

The Senior Citizens of Newcomb, Inc., 503 Greene, Newcomb, MO 65302, provides notice that it intends to apply to the Missouri Department of Transportation for a federal grant to serve the transportation needs of the seniors and/or persons with disabilities in Quinton County, including Newcomb. The Senior Citizens of Newcomb, Inc. does not discriminate on the basis of race, color, creed, national origin, sex or age in employment or the provision of services. Persons wishing to comment on this proposed project are requested to do so within 30 days by writing our agency and MoDOT – Multimodal Operations, P.O. Box 270, Jefferson City, MO 65102.

**Appendix F & G – Letter of Confirmation of Local Match and Operating Expenses**

A sample letter of confirmation of local match and operating expenses appears in the grant application packet. The applicant confirms that it will provide the necessary grant matching funds as well as provide necessary and appropriate funding for continued operating expenses once the Section 5310 funded project is placed into service.

**Appendix H – Nonprofit Corporation Number Issued by Missouri Secretary of State**

This information is obtained in the Applicant Identification Page and need not be repeated.

**Appendix I – Copy of Federal or State Tax Exempt Letter**

Provide in the application submission a copy of a federal or state tax exempt letter for the applicant agency.

**Appendix J – Insurance Carrier, amounts of coverage and premium rate**

Provide in the application submission copies of documents evidencing in force insurance coverage, such as collision and comprehensive, that would pay for physical damage as well as replacement of the of capital project described in the grant application.

**Appendix K – Proof of Audits for Three (3) Most Recent Fiscal Years**

Provide in the application submission copies of proof of audits for the three (3) most recent fiscal years for the applicant agency. Proof of audits can take the form of the cover letters from the accounting firm that highlight the annual financial review or annual single audit performed.



**Appendix L – Signed Certifications and Assurances From Section 5310 Applicant Agency**

The application packet provides the following identified Section 5310 certifications that for a complete grant application submission will be completed, dated and signed by the applicant agency's President or Chairperson of the agency's Board of Directors and attested by the Secretary of the Board.

1. Authorizing Resolution for Non-Profit Corporations,
2. Missouri Department of Transportation Standard Assurances
3. Charter Bus Requirements (regulations regarding),
4. School Bus Requirements (regulations regarding),
5. Energy Conservation Requirements,
6. Clean Water Act Requirements,
7. Lobbying (Byrd Anti-Lobbying Amendment of Lobbying Disclosure Act),
8. Federal Changes
9. Clean Air Act
10. No Government Obligation to Third Parties
11. Program Fraud & False or Fraudulent Statements and Related Acts,
12. Termination
13. Government-Wide Debarment and Suspension (Non-procurement)
14. Civil Rights Requirements,
15. Breaches and Dispute Resolution,
16. State and Local Law Disclaimer,
17. Incorporation of Federal Transit Administration (FTA) Terms,

**Appendix M – Current Certificate of Good Standing from Missouri Secretary of State**

For non-profit and for-profit agency applicants, provide in the application submission a copy of a current Certificate of Good Standing from the Missouri Secretary of State's Office. Such certificates can be obtained by calling (573) 751-4153 or by entering the Charter Number from the website:

<http://sosweb.sos.state.mo.us/businessentity>

**Appendix N – Worker Eligibility Affidavit and E-Verify Memorandum of Understanding (MOU)**

See page 20 of this grant information packet for details on this application requirement.

**2. Application for Mobility Management or Purchase of Service Projects or Fixed Route Service Access Projects or Project Alternatives to Public Transit That Enhance the Mobility of Seniors and Individuals with Disabilities**

Applications to MoDOT for Mobility Management Projects as well as applications for Purchase of Service projects to provide mobility for seniors or individuals with disabilities are submitted to MoDOT using the application forms "For Mobility Management / Purchase of Service Projects". The following provides guidance in completing the Section 5310 Application Forms for Mobility

Management Projects or Purchase of Service Projects or Fixed Route Service Access Projects or Projects that Provide Alternatives to Transit Service that Enhance Mobility for Seniors and Persons with Disabilities.

**Applicant Identification Page**

*Legal Name of Organization* – list legal name as show on articles of incorporation or charter,

*List all DBA names* – list all doing business as (DBA) names used by the applicant agency,

*Street Address* – physical location of main office of organization,

*Mailing address* – address where mail is to be sent including city state and Zip code

*City:* place / location of main office                      *Zip+4:* Nine (9) digit postal code for main office

*County:* County location of main office                      *Congressional District:* Applicant office's district

*State Senate District:* Missouri state senate district in which applicant's main office is located,

*State Representative District:* Missouri state house district location of applicant's main office

*RPC / MPO Plan:* Name of regional planning commission (RPC) or metropolitan planning organization (MPO) whose public transit – human services transportation coordination plan identifies the project in the application.

*Executive Director:* Name of applicants CEO              *Phone:* Telephone number for applicant CEO

*Contact Person:* Agency contact person for project              *Phone:* Telephone number for contact

*Federal Employer Identification Number (FEIN)* – can be found on applicant federal tax filings

*DUNS Number:* (see page 19 of this packet for DUNS number information)

*Date of Adoption of Agency's Title Vi Civil Rights Non-Discrimination Plan:* (see page 36)

*Non-profit Corporation Number* – as issued by Missouri Secretary of State

**Appendix A – Mobility Management Project Request Form**

*Legal Name of Applicant* – list legal name as show on article of incorporation or charter,

*Project Name* – provide a concise descriptive name of the project in the application,

*Project Beginning Date* – state the anticipated date to begin the project in the application,

*End Date for Amount of Funds Applied in This Application* – state the anticipated date when the applied for grant funds would be exhausted,

*Project Description* – describe the mobility management project in detail, not to exceed 1,500 words. Use additional pages in addition to the Appendix A form, if needed.

*Total Project Budget for Time Period Stated:* provide the total funds (5310 grant and all matching funds) amount for the project in the application,

*Matching Funds Source #1* – state the dollar amount and source of matching funds,

*Matching Funds Source #2* – if more than one source of matching funds are required for the project, then state the dollar amount and second source of matching funds,

*Matching Funds Source #3* – if more than two sources of matching funds are required for the project, then state the amount and third source of matching funds, (note – if more than three (3) sources of matching funds needed utilized, then list additional sources and amounts on a separate page).

*Total Grant Matching Funds From All Sources* – state the dollar total of all matching funds applied to this project, this total should equal the sum of all matching funds sources listed,

#### **Appendix A – Purchase of Service Project Request Form**

*Legal Name of Applicant* – list legal name as show on article of incorporation or charter,

*Project Name* – provide a concise descriptive name of the project in the application,

*Project Beginning Date* – state the anticipated date to begin the project in the application,

*End Date for Amount of Funds Applied in This Application* – state the anticipated date when the applied for grant funds would be exhausted,

*Project Description* – describe the purchase of service project in detail, not to exceed 1,500 words. The project narrative must include the following:

- *Geographic mobility service area* – the areas that will be served by the project,
- *Categories of persons served* – must be inclusive of seniors & individuals with disabilities
- *Days of week service is available* – days of the week that the service will be operated,
- *Time of each day operated that service is available* – provide starting / ending times,
- *Trip purposes served* - examples of trip purposes include: to employment, medical, nutrition, necessary shopping, recreation, etc.

Use additional pages in addition to the Appendix A form, if needed.

*Total Project Budget for Time Period Stated:* provide the total funds (5310 grant and all matching funds) amount for the project in the application,

*Matching Funds Source #1* – state the dollar amount and source of matching funds,

*Matching Funds Source #2* – if more than one source of matching funds are required for the project, then state the dollar amount and second source of matching funds,

*Matching Funds Source #3* – if more than two sources of matching funds are required for the project, then state the amount and third source of matching funds, (note – if more than three (3) sources of matching funds needed utilized, then list additional sources and amounts on a separate page).

*Total Grant Matching Funds From All Sources* – state the dollar total of all matching funds applied to this project, this total should equal the sum of all matching funds sources listed,

**(Special Note** – for existing contracted mobility services to be eligible for Section 5310 funding, those services must have been acquired in full compliance with FTA’s procurement procedural requirements and the resultant contract document must contain all applicable FTA required contract terms and conditions language)

**Appendix A – Fixed Route Service Access Project Request Form**

*Legal Name of Applicant* – list legal name as show on article of incorporation or charter,

*Project Name* – provide a concise descriptive name of the project in the application,

*Project Beginning Date* – state the anticipated date to begin the project in the application,

*End Date for Amount of Funds Applied in This Application* – state the anticipated date when the applied for grant funds would be exhausted,

*Project Description – (for accessibility improvements to stations and stops)* – describe the location(s) for these improvements as well as how these improvements will remove barriers to access for persons with disabilities,

*Project Description – (for travel training projects)* – describe in detail the methods used to conduct the training, the types of information communicated in the training and the target audiences for this travel training,

*Total Project Budget for Time Period Stated:* provide the total funds (5310 grant and all matching funds) amount for the project in the application,

*Matching Funds Source #1* – state the dollar amount and source of matching funds,

*Matching Funds Source #2* – if more than one source of matching funds are required for the project, then state the dollar amount and second source of matching funds,

*Matching Funds Source #3* – if more than two sources of matching funds are required for the project, then state the amount and third source of matching funds, (note – if more than three (3) sources of matching funds needed utilized, then list additional sources and amounts on a separate page).

*Total Grant Matching Funds From All Sources* – state the dollar total of all matching funds applied to this project, this total should equal the sum of all matching funds sources listed,

**Appendix A – Alternatives to Public Transit to Enhance Mobility for Seniors and Individuals with Disabilities Project Request Form**

*Legal Name of Applicant* – list legal name as show on article of incorporation or charter,

*Project Name* – provide a concise descriptive name of the project in the application,

*Project Beginning Date* – state the anticipated date to begin the project in the application,

*End Date for Amount of Funds Applied in This Application* – state the anticipated date when the applied for grant funds would be exhausted,

*Project Description* – describe the purchase of service project in detail, not to exceed 1,500 words. The project narrative must include the following:

- *Geographic mobility service area* – the areas that will be served by the project,
- *Categories of persons served* – must be inclusive of seniors & individuals with disabilities
- *Days of week service is available* – days of the week that the service will be operated,
- *Time of each day operated that service is available* – provide starting / ending times,
- *Trip purposes served* - examples of trip purposes include: to employment, medical, nutrition, necessary shopping, recreation, etc.

Use additional pages in addition to the Appendix A form, if needed.

*Total Project Budget for Time Period Stated:* provide the total funds (5310 grant and all matching funds) amount for the project in the application,

*Matching Funds Source #1* – state the dollar amount and source of matching funds,

*Matching Funds Source #2* – if more than one source of matching funds are required for the project, then state the dollar amount and second source of matching funds,

*Matching Funds Source #3* – if more than two sources of matching funds are required for the project, then state the amount and third source of matching funds, (note – if more than three (3) sources of matching funds needed utilized, then list additional sources and amounts on a separate page).

*Total Grant Matching Funds From All Sources* – state the dollar total of all matching funds applied to this project, this total should equal the sum of all matching funds sources listed,

**Appendix B – Letters of Approval (Support)**

Provide in the application indication of local / regional support with letters from organizations such as the Area Agency on Aging, Regional Council for Developmental Disability, as well as local non-profit and for-profit (i.e. taxi companies) transportation providers.

**Appendix C – Publishers Affidavit for Public Notice**

Provide in the application a copy of a Publishers Affidavit of a public notice for the project. Sample notice wording appears, below:

The Senior Citizens of Newcomb, Inc., 503 Greene, Newcomb, MO 65302, provides notice that it intends to apply to the Missouri Department of Transportation for a federal grant to serve the transportation needs of the seniors and/or persons with disabilities in Quinton County, including Newcomb. The Senior Citizens of Newcomb, Inc. does not discriminate on the basis of race, color, creed, national origin, sex or age in employment or the provision of services. Persons wishing to comment on this proposed project are requested to do so within 30 days by writing our agency and MoDOT – Multimodal Operations, P.O. Box 270, Jefferson City, MO 65102.

**Appendix D & E – Letter of Confirmation of Local Match and Operating Expenses**

A sample letter of confirmation of local match and operating expenses appears in the grant application packet. The applicant confirms that it will provide the necessary grant matching funds as well as provide necessary and appropriate funding for continued operating expenses once the Section 5310 funded capital project is placed into service.

**Appendix F – Nonprofit Corporation Number Issued by Missouri Secretary of State**

This information is obtained in the Applicant Identification Page and need not be repeated.

**Appendix G – Copy of Federal or State Tax Exempt Letter**

Provide in the application submission a copy of a federal or state tax exempt letter for the applicant agency, if applicable. If not applicable, state applicant's for-profit status.

**Appendix H – Insurance Carrier, amounts of coverage and premium rate**

Provide in the application submission copies of documents evidencing in force insurance coverage, such as collision and comprehensive, that would pay for physical damage as well as replacement of the of capital project described in the grant application.

**Appendix I – Proof of Audits for Three (3) Most Recent Fiscal Years**

Provide in the application submission copies of proof of audits for the three (3) most recent fiscal years for the applicant agency. Proof of audits can take the form of the cover letters from the accounting firm that highlight the annual financial review or annual single audit performed.

**Appendix J – Signed Certifications and Assurances From Section 5310 Applicant Agency**

The application packet provides the following identified Section 5310 certifications that for a complete grant application submission will be completed, dated and signed by the applicant agency's President or Chairperson of the agency's Board of Directors and attested by the Secretary of the Board.

1. Authorizing Resolution for Non-Profit Corporations,
2. Missouri Department of Transportation Standard Assurances
3. Charter Bus Requirements (regulations regarding),
4. School Bus Requirements (regulations regarding),
5. Energy Conservation Requirements,
6. Clean Water Act Requirements,
7. Lobbying (Byrd Anti-Lobbying Amendment of Lobbying Disclosure Act),
8. Federal Changes
9. Clean Air Act
10. No Government Obligation to Third Parties
11. Program Fraud & False or Fraudulent Statements and Related Acts,
12. Termination
13. Government-Wide Debarment and Suspension (Non-procurement)
14. Civil Rights Requirements,
15. Breaches and Dispute Resolution,
16. State and Local Law Disclaimer,
17. Incorporation of Federal Transit Administration (FTA) Terms,

**Appendix K – Current Certificate of Good Standing from Missouri Secretary of State**

For non-profit and for-profit agency applicants, provide in the application submission a copy of a current Certificate of Good Standing from the Missouri Secretary of State's Office. Such certificates can be obtained by calling (573) 751-4153 or by entering the Charter Number from the website:

<http://sosweb.sos.state.mo.us/businessentity>

**Appendix L – Worker Eligibility Affidavit and E-Verify Memorandum of Understanding (MOU)**

See page 20 of this grant information packet for details on this application requirement.

**B. Where applications are submitted – depends on project location,**

The MoDOT Section 5310 application is ONLY for projects proposed for non-urbanized (rural) areas of Missouri as well as for projects proposed in the small urbanized areas of Missouri that include the Census metropolitan area portions of Cape Girardeau, Columbia, Jefferson City, Joplin, Lee's Summit and St. Joseph. The Sec. 5310 application submitted to MoDOT must be post marked no later than the stated submission deadline in the application packet and sent to:

**Transit Section**

**Multimodal Operations**

**MoDOT**

**105 W. Capitol / P.O. Box 270**

**Jefferson City, MO 65102-0270**

For the Census large urbanized areas (200,000+ population) in Missouri (St. Louis, Kansas City and Springfield), the relevant Section 5310 application forms are available from each urbanized areas' respective metropolitan planning organization (MPO). For St. Louis, the MPO is the East-West Gateway Council of Governments (<http://www.ewgateway.org/>); for Kansas City the MPO is the Mid-America Regional Council (<http://www.marc.org/>); and for Springfield the MPO is the Ozarks Transportation Organization (<http://www.ozarkstransportation.org/>). Submission deadlines and requirements differ for each entity receiving these Sec. 5310 applications.

**C. Review for program eligible applicant / project owner,**

All Sec. 5310 applications will be reviewed to determine applicant eligibility to access program funds. This packet's section on Eligible Recipients / Project Owners describes eligible organizations. Non-profit agencies will need to provide in the application their Non-Profit Corporation Number as issued by the Missouri Secretary of State. For-profit agencies will need to provide information on their corporate registration. Applications that do not substantiate the applicant's eligibility will not be considered for funding. Applicants that are federally debarred or suspended will not be considered program eligible. The check for federally debarred or suspended organizations is conducted on-line at the following link: <http://www.sam.gov/>

**D. Review for program eligible project / activity,**

All Sec. 5310 applications will be reviewed to determine program eligibility for the proposed project(s). This packet's section on Eligible Activities / Eligible Projects provides an extensive list



of the types of projects and activities eligible for funding in the Section 5310 program. MoDOT can only consider for funding Sec. 5310 eligible projects proposed by Sec. 5310 eligible applicants

## **E. Project Prioritization**

### **1. “Traditional Projects”**

Eligible applications for what FTA’s defines as “traditional projects”, will first be reviewed and prioritized by MoDOT in order to attain the Sec. 5310 program’s 55% funding floor for these “traditional projects”. For projects proposed in small urbanized areas, any prioritization of projects provided to MoDOT from the MPO’s will be accepted as long as those projects are Sec. 5310 eligible activities proposed by eligible applicants. Otherwise, within this category of “traditional projects”, the rural prioritization and small urbanized prioritization of projects in descending order is:

1. Replacement of accessible vehicles that have reached end of their useful life,
2. Replacement of non-accessible vehicles that have reached end of their useful life,
3. Accessible vehicles to be used in eligible expanded mobility services,
4. Non-accessible vehicles to be used in eligible expanded mobility services,
5. Support for mobility management and coordination programs,
6. All other “traditional” Sec. 5310 eligible project types,

In selecting “traditional” projects for funding, consideration will be given to a geographic distribution to deter concentrations of projects and funds in a few areas of the state. Also, based on applicant responses to Title VI Civil Rights questions about clients served as well a governing board composition, consideration will be given to assure that low-income individuals and minorities are not excluded from accessing funds for eligible Sec. 5310 activities.

### **2. Projects beyond ADA minimum for fixed route,**

Currently in Missouri, no fixed route public transit services are operated in non-urbanized (rural) Missouri. Instead, all of Missouri’s rural transit service is delivered in a demand-responsive fashion which also includes by definition route-deviation service. As such, MoDOT does not anticipate awarding within rural areas any Sec. 5310 funds for projects beyond ADA minimum for fixed route service.

However, several small urbanized areas of the state do operate fixed route service and for the small urbanized apportionment of Sec. 5310 funds, any projects of this category will be reviewed and considered for funding once the 55% floor funding amount for the “traditional” projects has been determined.

In selecting projects that are beyond ADA minimums for fixed route service for funding, consideration will be given to a geographic distribution to deter concentrations of projects and funds in a few areas of the state. Also, based on applicant responses to Title VI Civil Rights questions about clients served as well as governing board composition, consideration will be given to assure that low-income individuals and minorities are not excluded from accessing funds for eligible Sec. 5310 activities.

### **3. Improved fixed route access; paratransit alternatives,**

Currently in Missouri, no fixed route public transit services are operated in non-urbanized (rural) Missouri. Instead, all of Missouri's rural transit service is delivered in a demand-responsive fashion which also includes by definition route-deviation service. As such, MoDOT does not anticipate awarding to rural areas any Sec. 5310 funds for projects that improve fixed route access and paratransit alternatives.

However, several small urbanized areas of the state do operate fixed route service and for the small urbanized apportionment of Sec. 5310 funds, any projects of this category will be reviewed and considered for funding once the 55% floor funding amount for the "traditional" projects has been determined.

In selecting projects that improve fixed route access and paratransit alternatives for funding, consideration will be given to a geographic distribution to deter concentrations of projects and funds in a few areas of the state. Also, based on applicant responses to Title VI Civil Rights questions about clients served as well as governing board composition, consideration will be given to assure that low-income individuals and minorities are not excluded from accessing funds for eligible Sec. 5310 activities.

### **4. Enhanced mobility for seniors & individuals with disabilities**

As there is no fixed route transit service currently operated in non-urbanized (rural) Missouri, this is the only other category of projects after the "traditional" projects that is eligible for Sec. 5310 funding in rural areas.

Proposed projects in this category of enhanced mobility for seniors and individuals with disabilities will be prioritized based upon the following factors in descending order:

1. Service offered on day(s) of the week when public transit is not available,
2. Service offered during times of the day when public transit is not available,
3. Provides same-day service when same-day scheduled transit service is not available,

In selecting projects that enhance mobility for seniors and individuals with disabilities for funding, consideration will be given to a geographic distribution to deter concentrations of projects and funds in a few areas of the state. Also, based on applicant responses to Title VI Civil

Rights questions about clients served as well a governing board composition, consideration will be given to assure that low-income individuals and minorities are not excluded from accessing funds for eligible Sec. 5310 activities.

## **X. Project Selection Process**

### **A. Selection Role of the MPO's in Urbanized Areas,**

For projects in small urbanized areas, some metropolitan planning organization's (MPO's) through their local planning processes prioritize Sec. 5310 projects for their area. When more than one project application is received from an urbanized area and that MPO has prioritized those projects, MoDOT will use that MPO prioritization as long as those projects represent Sec. 5310 eligible activities proposed by Sec. 5310 eligible applicant agencies. In cases where MPO's incorporate the Sec. 5310 projects in their TIP document, but do not prioritize them, then MoDOT will use the earlier described factors to prioritize those Sec. 5310 projects from small urbanized areas.

In selecting the small urbanized projects for Sec. 5310 funding, consideration will be given to a geographic distribution to deter concentrations of projects and funds in a few areas of the state. Also, based on applicant responses to Title VI Civil Rights questions about clients served as well a governing board composition, consideration will be given to assure that low-income individuals and minorities are not excluded from accessing funds for eligible Sec. 5310 activities.

### **B. “Traditional Projects” and the 55% apportionment “floor”**

Section 5310(b) provides that of the amounts apportioned to states (MoDOT) and designated recipients, not less than 55 percent shall be available for traditional Section 5310 projects—those public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Notably, this 55 percent is a floor, not a ceiling—MoDOT may use more than 55 percent of their apportionment for these types of projects.

This means that at least 55 percent of any rural, small urbanized area, or large urbanized area's annual apportionment must be utilized for public transportation capital projects that are planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities. It is not sufficient that seniors and individuals with disabilities are merely included (or assumed to be included) among the people who will benefit from the project.

Based on the initial review for the rural prioritization of Section 5310 proposed “traditional” projects and the small urbanized prioritization of Section 5310 proposed “traditional” projects, MoDOT will develop descending order cumulative totals of federal share budgets for the projects. When the prioritized cumulative total reaches 55% of the available apportionment of rural funds and / or reaches 55% of the available apportionment of small urbanized funds, then

MoDOT temporarily halts with the selection of “traditional” projects and will set aside 10% from the apportionment or obligated amount for state program administration.

However, if the cumulative budgeted total of all eligible “traditional” projects is less than 55% of the apportionment, then this will necessitate lowering the initial obligation of grant funds so that the budgeted total of “traditional” Section 5310 projects does not fall below 55% of the initial obligation of funds (which will be lower than the available apportionment). (See NOTE, below).

With the 55% “traditional” projects floor achieved; 10% set aside for state program administration and 35% of the total apportionment remaining  $((100) - (55 + 10) = 35)$ , prioritized proposed projects in categories other than “traditional” will be reviewed for funding. If the budgets for those not “traditional” projects in a descending order cumulative total meet or exceed the remaining 35% of apportioned funds, then the projects selection for the entire apportionment is complete. If after selecting all the eligible non “traditional” projects there are still funds available, then the process returns to the “traditional” projects until the balance of apportioned funds are fully programmed.

NOTE – Should the full programming of “traditional” Section 5310 projects fall below 55% of the apportionment, then that amount of total federal “traditional” project funds becomes the 55% for the lower initial obligation of Sec. 5310 grant funds. Below is a chart that shows this scenario.

Activity	Amount <u>Apportioned</u>	% of Total Allocation	Amount <u>Obligated</u>	% of Total Allocation
Total Amount Allocated	\$2,000,000	100%	\$1,000,000	100%
State or Designated Recipient Program Administrative Funding	\$200,000	10%	\$100,000	10%
<u>Traditional Section 5310 Projects</u> (55% minimum	\$1,100,000	<b>55%</b>	<b>\$550,000</b>	<b>55%</b>
Other Section 5310 Projects	\$700,000	35%	\$350,000	45%

### **C. Projects other than the “traditional” projects**

With the 55% “traditional” projects floor achieved; 10% set aside for state program administration and 35% of the total apportionment remaining  $((100) - (55 + 10) = 35)$ , prioritized proposed projects in categories other than “traditional” will be reviewed for funding. If the budgets for those not “traditional” projects in a descending order cumulative total meet or exceed the remaining 35% of apportioned funds, then the projects selection for the entire apportionment is complete. If after selecting all the eligible non “traditional” projects there are still funds available, then the process returns to the “traditional” projects until the balance of apportioned funds are fully programmed.

*NOTE* – Should the full programming of “traditional” Section 5310 projects fall below 55% of the apportionment, then that amount of total federal “traditional” project funds becomes the 55% for the initial obligation of Sec. 5310 grant funds. Above is a chart that shows this scenario.

## **XI. Pre-Award Requirements**

### **A. Title VI Civil Rights Non-discrimination Plan,**

All sub-recipients of MoDOT administered transit grants are required by FTA to have submitted to MoDOT a Title VI Civil Rights Non-discrimination Plan that conforms to FTA requirements. In 2013 MoDOT conducted workshops of Title VI Civil Rights Plans as well as workshops on the Limited English Proficiency (LEP) component of Title VI plans. Those workshop presentations as well as a Title VI Civil Rights Plan outline / template can be found on MoDOT’s web site at the following page under the heading “Presentations”:

<http://www.modot.org/othertransportation/transit/transitapplicationsreportsprograms.htm>

Also, FTA’s Circular 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients.” provides FTA recipients and subrecipients with guidance and instructions necessary to carry out DOT Title VI regulations (49 CFR part 21), and DOT Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (LEP) Persons.

### **B. Agency Procurement Policy Conforming to FTA Requirements,**

For most transit and paratransit vehicle projects, MoDOT undertakes the procurements in conformance to FTA requirements. However, if a Sec. 5310 sub-recipient is making purchases with FTA funds, then that agency needs to adopt or revise their procurement policy in conformance to FTA’s requirements. MoDOT’s Transit Section can provide a procurement policy “template” to assist with that effort.

### **C. Asset Management Plan (*pending FTA guidance, see also page 61*),**

#### **D. System Safety Plan *(pending FTA guidance, see also page 62)***

MAP-21 amended 49 U.S.C. 5329 to provide FTA with the authority to establish a new comprehensive framework to oversee the safety of public transportation throughout the United States. The law requires, among other things, that FTA issue a National Public Transportation Safety Plan, establish safety performance criteria for all modes of public transportation, define a “state of good repair,” establish minimum safety performance standards for public transportation vehicles, and a safety certification training program for transit agency and state safety oversight (SSO) staff responsible for safety oversight. States are required to strengthen their SSO programs and submit the programs to FTA for certification. In addition, public transportation agencies must establish comprehensive agency safety plans for their rail and bus operations. FTA will issue interim guidance and regulations to implement these new requirements in consultation with public transportation industry stakeholders.

## **XII. Grant Award**

### **A. Award Announcement**

Two grant award announcement processes occur. The projects selected for funding are consolidated into a Program of Projects (POP) and submitted by MoDOT in a grant application to FTA. The first award announcement is from FTA to MoDOT. The second award announcement is from MoDOT to each of the applicants / projects sponsors which are the Section 5310 grant sub-recipients. The time from submission of the POP to FTA to MoDOT’s award notice with sub-recipient contract for signature can take two to three months.

### **B. Sub-recipient Grant Contract**

MoDOT commences issuance of sub-recipient grant contract documents only upon grant award from FTA. The sub-recipient grant contract is a legal agreement between the sub-recipient / project sponsor and MoDOT. This contract spells out the amount of federal funding available to the sponsor, defines the project for which the grant money is eligible for reimbursement and obligates the sub-recipient /project sponsor to applicable federal and state requirements.

### **XIII. Project Administration by Sponsor / Coordination with MoDOT**

#### **A. Vehicle acquisition projects,**

Most vehicles acquired with Sec. 5310 funds are procured by a FTA-compliant bid process conducted by MoDOT. These purchasing schedules establish both base pricing and certain optional features pricing for a variety of vehicle types including medium-duty buses, wide body-on-chassis cutaway minibuses, narrow body-on-chassis cutaway minibuses, modified lowered-floor accessible minivans, large passenger vans, large sedans and medium size sedans.

For the MoDOT procured vehicles, after identifying the vehicle type and any optional features chosen for the project, MoDOT places a purchase order to the dealer / vendor awarded that particular vehicle “floor plan” in the MoDOT purchasing schedule. Closer to the time of delivery, MoDOT requests the non-federal local share amount from the sub-recipient to be sent to MoDOT.

When the vehicle is delivered from the factory to the vendor / dealer, MoDOT conducts an inspection of the vehicle to determine and certify that the vehicle, in fact, meets the content specifications (what FTA calls “purchaser’s requirements”), verifies conformance to Federal Motor Vehicle Safety Standard (FMVSS) certification requirements, and verifies that applicable FTA Buy America requirements have been met. Upon inspection, the vendor / dealer is either instructed by MoDOT to deliver the vehicle to the sub-recipient, or make corrections to the vehicle prior to delivery or hold the vehicle for correction of issues and a MoDOT re-inspection.

When the vehicle is delivered to the sub-recipient, the sub-recipient should also make an inspection to note that the correct vehicle is delivered and that the systems / features on the vehicle operate correctly. A vehicle orientation by the dealer / vendor should also occur at this time and the necessary title application paperwork is provided. The sub-recipient signs the invoice unless the dealer / vendor representative departs with the vehicle to return it to the dealership.

In relatively few instances involving minivan(s) projects totaling less than \$100,000 in cost, the sub-recipient conducts the procurement in those years when MoDOT was unsuccessful in awarding a purchasing schedule contract for minivans. The FTA’s Buy America requirements threshold is \$100,000 and in some years none of the minivan bids submitted to MoDOT meet the Buy America requirements. A sub-recipient conducting their own FTA compliant procurement for minivan(s) with a total aggregate cost of less than \$100,000 is not required to adhere to Buy America requirements as the procurement is below the compliance threshold.

Such sub-recipient vehicle procurements are closely coordinated with MoDOT Transit Section approval at each step, including agency procurement policy review, specification review, solicitation notice / requests for bids review, pre-bid estimate review, review of bids received, review of proposed selection / award, review of purchasing contract for required FTA terms and

conditions, review of title application for owner designation and first lienholder (MoDOT), certifications for purchasers requirements and FMVSS compliance, review of invoice prior to reimbursement of the federal share of the purchase.

## **B. Equipment projects,**

Equipment projects have many similarities to the aforementioned minivan projects procured by sub-recipients. Such sub-recipient equipment procurements are closely coordinated with MoDOT Transit Section approval at each step, including agency procurement policy review, specification review, solicitation notice / requests for bids review, pre-bid estimate review, review of bids received, review of proposed selection / award, review of purchasing contract for required FTA terms and conditions, and review of invoice prior to reimbursement of federal share of purchase. For equipment projects costing less than \$25,000 State of Missouri requirements require less formal procedures, but should still be closely coordinated with MoDOT Transit Section staff.

## **C. Facility / construction projects,**

All facility projects seeking FTA financial assistance require compliance with the National Environmental Policy Act (NEPA) implementing regulations (40 C.F.R. § 1500-1508), FHWA and FTA's Environmental Impact and Related Procedures (23 C.F.R. § 771), Efficient Environmental Reviews for Project Decision-making (23 U.S.C. § 139), and numerous other environmental laws, regulations, and orders such as Section 106 of the National Historic Preservation Act (36 CFR 800), the Clean Water Act, and the Endangered Species Act. Project sponsors should consult with the FTA regional office early in project development to identify the appropriate class of action (categorical exclusion, environmental assessment, or environmental impact statement) for the NEPA review and any other environmental requirements.

Project sponsors should not move forward with any steps to develop the project that would preclude the fair consideration of alternatives (e.g., engineering and construction) until FTA concludes the NEPA process by issuing a record of decision (ROD), finding of no significant impact (FONSI), or a categorical exclusion (CE). Property acquisition, other than for the linear right-of-way needed for the project (as determined in close consultation with FTA staff), should not take place until a ROD, FONSI, or CE is issued.



If a grant applicant intends to use federal financial assistance in a project which will require real property, the applicant must provide assurances—required by Sections 305 and 210 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act)—that it will comply with the Uniform Act and with U.S. DOT implementing regulations (49 CFR part 24).

DOT regulations at 49 CFR part 24 implement a government-wide regulation that applies to all federal or federally assisted activities that involve the acquisition of real property or the displacement of people. As such, the regulation is specific in naming certain actions that must be taken to achieve uniformity in the treatment of property owners and displaced people. Grantees in the process of planning a federally assisted project that will require the displacement of people should be aware of the regulatory need for relocation planning during the early stages of project development.

The 49 CFR part 24 regulation is available from the Government Printing Office website at: [http://www.access.gpo.gov/nara/cfr/waisidx\\_99/49cfr24\\_99.html](http://www.access.gpo.gov/nara/cfr/waisidx_99/49cfr24_99.html)

Upon request, MoDOT's Transit Section in coordination with FTA regional offices can provide a copy of the uniform act or regulation in its amended form. In addition, the grantee should inform itself of state laws regarding compensation for real property and requirements for relocation of people and personal property.

Once the necessary environmental and regulatory approvals have been obtained, MoDOT's Transit Section provides guidance for the sub-recipient through the process of the sub-recipient's land acquisition, the sub-recipient's procurement of facility design and project management services, the sub-recipients procurement of construction, and the sub-recipient's monitoring of construction progress including adherence to schedule and budget, evaluation of change orders, the resolution of disputes, and the inspection of work towards successful project close-out.

#### **D. Mobility service projects,**

Mobility service projects are either operated directly by the sub-recipient's own workforce / employees or operated by a third-party contract with a service provider. In the case of third-party contracts, those arrangements must follow FTA's procurement requirements and the resultant contract must contain the requisite FTA procurement terms and conditions in order for the expenses arising from that contract to be eligible for reimbursement from the FTA Section 5310 grant funds.

Whether the project is delivered by the sub-recipient's employees or by contract employees, the Section 5310 grant terms and conditions apply as well. So, in addition to the FTA's applicable procurement terms and conditions, a third-party contract should also include the applicable Section 5310 grant conditions. However, since a grant compliance violation by the third-party contractor is also a violation of the contract between MoDOT and the sub-recipient, all sub-recipients should monitor the performance of their contractors for grant compliance.

#### **E. Mobility management projects,**

The FTA defines “mobility management” as consisting of short-range planning and management activities and projects for improving coordination among public transportation and other transportation service providers carried out by a recipient or subrecipient through an agreement entered into with a person, including a government entity, under 49 U.S.C. chapter 53 (other than section 5309). Mobility management does not include operating public transportation services.

Sub-recipients conducting mobility management projects have significant flexibility as long as the expenses sought for grant reimbursement directly support earlier defined eligible mobility management activities (see pages 6 – 7 of this application packet for more details). If the mobility management project also includes the acquisition of support equipment, then the equipment related comments in this application packet should also be reviewed.

### **XIV. Grant Reimbursement from MoDOT**

#### **A. Vehicle projects acquired from MoDOT bids**

For vehicle projects funded in MoDOT administered Section 5310 grants using the purchasing schedule obtained through the MoDOT conducted transit vehicle procurement, MoDOT collects the matching funds (customarily 20% of vehicle cost) from the sub-recipient and MoDOT pays the dealer / vendor the entire purchase order amount once the vehicle has been delivered to the sub-recipient and an invoice submitted to MoDOT by the dealer / vendor.

#### **B. Subrecipient procurement of minivans,**

In the instances where the sub-recipient conducts the procurement of vehicles, most often minivans, the sub-recipient pays the entire amount of the contracted vehicle price to the dealer / contractor and then presents a paid invoice to MoDOT for grant reimbursement that is customarily 80% of the vehicle project estimate or 80% of the actual vehicle cost, whichever is least.

#### **C. Subrecipient procurement of equipment,**

In instances where the sub-recipient conducts the procurement of equipment as part of an approved grant funded project, the sub-recipient pays the entire amount of the equipment price to the dealer / contractor and presents a paid invoice to MoDOT for grant reimbursement that is customarily 80% of the equipment project budget estimate or 80% of actual equipment project cost, whichever is least.

**D. Subrecipient procurement of construction,**

In instances where the sub-recipient conducts the procurement of construction as part of an approved grant funded project, the sub-recipient pays for each stage of construction and presents to MoDOT's Transit Section for grant reimbursement copies of the contractor's application for payment along with accompanying certified payroll records as well as reports of disadvantaged business enterprise participation. Most often an architecture firm is also retained for the construction project and the architect's fees are initially paid by the sub-recipient and once paid, documentation is presented to MoDOT's Transit Section for grant reimbursement.

**E. Subrecipient delivery of mobility services,**

Reimbursement for mobility service projects may take place no more frequently than on a monthly basis. MoDOT's Transit Section will provide reimbursement forms for sub-recipient use. The costs claimed for grant reimbursement must be directly related to the mobility project and may include the wages and personnel benefits associated with the operation of passenger mobility service; maintenance costs for vehicles, equipment and facilities directly supporting the grant funded mobility service as well as project administrative expenses.

**F. Subrecipient performance of mobility management**

Reimbursement for mobility management projects may take place no more frequently than on a monthly basis. MoDOT's Transit Section will provide reimbursement forms for sub-recipient use. The costs claimed for grant reimbursement must be directly related to the mobility management project and may include the wages and personnel benefits associated with the provision of mobility management; maintenance costs for equipment and facilities directly supporting the grant funded mobility management project as well as project administrative expenses.

## **XV. Reporting Requirements**

### **A. Section 5310 Annual Performance Measures Reporting,**

#### **1. “Traditional” Section 5310 Projects**

- a. Gaps in Service Filled. Provision of transportation options that would not otherwise be available for seniors and individuals with disabilities measured in numbers of seniors and people with disabilities afforded mobility they would not have without program support as a result of traditional Section 5310 projects implemented in the current reporting year.
- b. Ridership. Actual or estimated number of rides (as measured by one-way trips) provided annually for individuals with disabilities and seniors on Section 5310–supported vehicles and services as a result of traditional Section 5310 projects implemented in the current reporting year.

#### **2. Other Section 5310 Projects**

- a. Increases or enhancements related to geographic coverage, service quality, and/or service times that impact availability of transportation services for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.
- b. Additions or changes to physical infrastructure (e.g., transportation facilities, sidewalks, etc.), technology, and vehicles that impact availability of transportation services for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.
- c. Actual or estimated number of rides (as measured by one-way trips) provided for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.

### **B. Annual Vehicle Inventory & Utilization Report,**

Late in each calendar year, MoDOT’s Transit Section provides forms to sub-recipients to submit to MoDOT in order to update the inventory, condition and insurance status of FTA grant funded vehicles. The data from these forms are also used to satisfy FTA requirements for Section 5310 Annual Performance Measures Reporting described in the previous section, above. This annual report may also fulfill requirements for FTA’s National Transit Database reporting of asset inventory and condition, pending future guidance from FTA.

### **C. Annual Title VI Civil Rights Nondiscrimination Report**

FTA's Title VI Civil Rights Act Nondiscrimination guidance requires annual reporting of discrimination complaints and discrimination lawsuits associated with grant funded projects.

### **D. Safety & Security Reporting of Fatalities,**

The deaths / fatalities associated with projects funded with MoDOT administered Federal Transit Administration Grants must be reported to MoDOT's Transit Section as soon as possible, either by telephone to (573) 751-2523 or by e-mail to [Transit@modot.mo.gov](mailto:Transit@modot.mo.gov) MoDOT's Transit Section will, in turn, immediately inform the FTA Region VII Office in Kansas City.

## **XVI. Grant and Project Compliance Oversight**

### **A. FTA Applicable Requirements for Section 5310**

#### **1. Vehicle Use**

VEHICLE USE. FTA encourages maximum use of vehicles funded under the Section 5310 program. Consistent with the requirements of 49 CFR parts 18 and 19, vehicles are to be used first for program-related needs for which a Section 5310 grant is made and then to meet other federal programs or project needs, providing these uses do not interfere with the project activities originally funded. If the vehicle is no longer needed for the original program or project, the vehicle may be used in other activities currently or previously supported by a federal agency. Vehicles may be used:

a. For Section 5310 Project and Program Purposes. Subrecipients are encouraged to the extent feasible to also provide service to seniors and people with disabilities not affiliated with their agency, as well as to the general public, on an incidental basis if such service does not interfere with transportation services for seniors and people with disabilities. In some situations it may be appropriate to provide Section 5310 assistance to an agency to provide transportation exclusively to its own clients, but even in situations in which it is not feasible for the agency to provide services to those in the community beyond its own clients, that agency must, when practicable, make the vehicle itself available to provide transportation service to other seniors and people with disabilities at times the agency is not using the vehicle for grant-related purposes. The subrecipient shall use the vehicle in the project or program for which it was acquired as long as needed, even if the project does not continue to receive federal funding.

b. For Other Federal Programs or Project Purposes. During the period the vehicle is used to serve the project or program needs for which it was acquired, the subrecipient shall make it available for use on other projects or programs, as long as such other use does not interfere with the service for which the vehicle was originally acquired. First preference for such other use will be given to other projects or programs sponsored by FTA, and second preference will be given to projects or programs sponsored by other federal agencies. Finally, vehicles may be used by non-federally funded providers, first to meet the needs of seniors and people with disabilities, and then to serve the transportation needs of the general public on an incidental basis.

c. When No Longer Needed for Original Project or Program Purposes. If the original subrecipient no longer needs the vehicle for the purposes for which it was acquired, the state or designated recipient may choose to keep the vehicle in use for Section 5310 program purposes by transferring the vehicle to another designated recipient or subrecipient. Once the vehicle is no longer needed for Section 5310 program purposes, the vehicle may be used first in connection with other FTA-sponsored activities, and then for activities sponsored by other federal agencies.

d. For Meal Delivery. Providers receiving assistance under this section may coordinate and assist in providing meal delivery services for homebound people on a regular basis if the meal delivery services do not conflict with the provision of transit services or result in a reduction of service to transit passengers. The number and size of vehicles applied for under Section 5310 must be determined only by the number of passengers to be transported, not meal delivery capacity. Section 5310 funds may not be used to purchase special vehicles to be used solely for meal delivery or to purchase specialized equipment such as racks or heating or refrigeration units related to meal delivery.

## **2. Leasing Vehicle Acquired with Section 5310 Funds (see also page 59)**

LEASING VEHICLES ACQUIRED WITH SECTION 5310 FUNDS. Vehicles acquired under the Section 5310 program may be leased to other entities such as local governmental authorities or agencies, other private nonprofit agencies, or private for-profit operators. Under such a lease, the lessee operates the vehicles on behalf of the Section 5310 subrecipient and provides transportation to the subrecipient's clientele as described in the grant application. MoDOT concurrent is required.

The lease between the Section 5310 subrecipient and the lessee contains the terms and conditions that must be met in providing transportation service to seniors and people with disabilities. Because the purpose of the Section 5310 grant is to provide transportation service to seniors and people with disabilities, other uses of the vehicle are permitted only as long as such uses do not interfere with service to seniors and people with disabilities.

The state or designated recipient, being responsible for ensuring that the terms and conditions of the original grant with FTA are met, must agree, in writing, to each lease between the subrecipient and the lessee. Such an agreement should specify that the leased vehicle shall be used to provide transportation service to seniors and people with disabilities, that the vehicle may be used for incidental purposes only after the needs of these individuals have been met, and that the subrecipient, state, or designated recipient must retain title to the vehicle.

Subrecipients may lease any of their assets to others on an incidental basis so long as the lease agreement holds the lessee responsible for compliance with all of the requirements the subrecipient itself is responsible for. Thus, the lessee must adhere to

applicable and relevant terms and conditions of FTA's master agreement in the maintenance and use of the asset. For example, a subrecipient may not lease its revenue vehicles to a private company to conduct charter operations except to the extent the recipient itself would be able to conduct charter operations.

A subrecipient may lease its assets to a private entity to operate in public transit service so long as the entity has been selected through a competitive process and so long as the lease agreement obliges the lessee to adhere to all of the applicable and relevant requirements of the FTA master agreement. A finite lease term should be established as well as a clear price and scope of work.

### **3. Title to Vehicles**

Vehicles are titled in the name of the sub-recipient organization, however, MoDOT is shown as the first lienholder on each title to protect the FTA's financial interest in each Section 5310 funded vehicle. The Section 5310 funded vehicle title documents are kept in a MoDOT safe located at the offices of the Transit Section in Jefferson City.

### **4. Satisfactory Continuing Control and Responsibility**

SATISFACTORY CONTINUING CONTROL AND RESPONSIBILITY. When vehicles, capital equipment, or facilities are acquired, built, or improved for use by any entity utilizing FTA funding, provisions must be made to ensure satisfactory continuing control of the vehicles, capital equipment, and facilities funded. This grant application packet along with MoDOT's State Management Plan for transit grants describes mechanisms for satisfactory continuing control and responsibility for federally funded projects.

### **5. Procurement**

General. When procuring property, supplies, equipment, or services with funds from an FTA grant, subrecipients must comply with FTA procurement requirements at 49 CFR part 18 and guidance contained in the current FTA Circular 4220.1. States will follow the same policies and procedures used for procurements from nonfederal funds, to the extent permitted by federal statutes and regulations. While the federal threshold for small purchases is currently \$100,000, the state may set a lower threshold (\$25,000 in Missouri) for itself and its subrecipients.

Procurement procedures used by states and their public agencies and instrumentalities must comply with the following specific federal procurement requirements:

States. State procurement practices must, at a minimum, comply with five specific federal requirements contained in the current FTA Circular 4220.1. These include the following:

- a. For rolling stock, a five-year limitation on contract period of performance;
- b. A requirement for full and open competition;

- c. A prohibition against geographic preferences;
- d. The use of Brooks Act procedures for procurement of architectural and engineering services if the state has not adopted a statute governing procurement of such services; and
- e. Inclusion in contracts of all federal clauses required by federal statutes and executive orders and their implementing regulations. These clauses are identified in specific federal regulations cited in FTA's master agreement and incorporated by reference into the grant agreement. Additional technical assistance for third party contracting is available in FTA's "Best Practices Procurement Manual," which can be found online at [http://www.fta.dot.gov/funding/thirdpartyprocurement/grants\\_financing\\_6037.html](http://www.fta.dot.gov/funding/thirdpartyprocurement/grants_financing_6037.html);

1 **Subrecipients that are Governmental Authorities.** Subrecipients of states that are governmental authorities such as local or Indian tribal governments must comply with the same federal requirements governing state procurements. States are responsible for ensuring that subrecipients are aware of and comply with federal requirements.

2 **Subrecipients that are Private Nonprofit Organizations.** Subrecipients that are private nonprofit organizations must comply with FTA procurement requirements contained in the current FTA Circular 4220.1. States and designated recipients are responsible for ensuring that private nonprofit subrecipients are aware of and comply with these additional requirements.

Pre-Award and Postdelivery Reviews. Procurements for vehicles, other than sedans or unmodified vans, must be audited in accordance with 49 CFR part 663, "Pre-Award and Post-Delivery Audits of Rolling Stock Purchases." Additional guidance is available in the manual, "Conducting Pre-Award and Post-Delivery Reviews for Bus Procurement" on FTA's website:

[http://www.fta.dot.gov/legislation\\_law/12921\\_5424.html](http://www.fta.dot.gov/legislation_law/12921_5424.html). The regulation requires any recipient or subrecipient that purchases rolling stock for use in revenue service with funds obligated after October 24, 1991, to conduct a pre-award and post delivery review to ensure compliance with its bid specifications, Buy America requirements, and federal motor vehicle safety requirements, and to complete specific certifications. Purchase of more than twenty vehicles for use in areas under 200,000 in population (more than ten, for large urbanized areas), other than unmodified vans or sedans, requires in-plant inspection. In the case of consolidated state procurements on behalf of multiple subrecipients, the in-plant inspection requirement is triggered only if a single subrecipient will receive more than ten or more than twenty vehicles, depending on area size.

New Model Bus Testing. Recipients must ensure that buses and vans acquired with FTA funds are tested consistent with the requirements in 49 CFR part 665 and must obtain a copy of the resulting test report before FTA funds can be released. FTA



provides a bus testing section on its website that provides an overview of the program and assists with understanding applicable procedures and policies: <http://www.fta.dot.gov/bustesting>.

The bus testing provisions under 49 U.S.C. 5318 require FTA establish a pass/fail testing standard. FTA funds will be available to acquire a new bus model only if the bus has received a passing score. This requirement will take effect after FTA has issued regulations establishing the standard.

**Buy America.** Title 49 U.S.C. 5323(j) provides that with limited exceptions, FTA may not obligate funds for a public transportation project unless the steel, iron, and manufactured goods used in the project are produced in the United States. Section 5310 recipients and subrecipients must comply with FTA regulations, 49 CFR part 661. FTA's Buy America requirements at 49 CFR part 661 differ from Federal Buy American regulations at 48 CFR part 25. The former applies to all purchases, including materials or supplies funded as operating costs when funded by FTA, if the purchase exceeds the threshold for small purchases (currently \$100,000), whereas the latter applies to direct federal procurements. FTA strongly advises subrecipients to review 49 CFR part 661 as well as the current FTA Circular 4220.1, "Third Party Contracting Guidance," before undertaking any procurement. In addition, 49 U.S.C. 5323(j)(9) allows a party adversely affected by an FTA action the right to seek review. FTA has created a Buy America website to provide an overview of these requirements as well as policies, procedures, and letters of interpretation: <http://www.fta.dot.gov/buyamerica>.

**Transit Vehicle Manufacturer Disadvantaged Business Enterprises (DBE) Program Requirement.** Recipients must ensure that each transit vehicle manufacturer (TVM), as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, certifies that it has complied with the requirements of 49 CFR part 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." TVMs must establish—and submit to the FTA Office of Civil Rights for approval—an annual overall percentage goal. In setting this overall goal, manufacturers should be guided, to the extent applicable, by the principles underlying 49 CFR 26.45. The recipient is obligated to determine, by checking the TVM listing on FTA's website, <http://www.fta.dot.gov/civilrights/12891.html>, or by checking with FTA's Office of Civil Rights at the time of bid opening, that the manufacturer likely to receive the contract is in compliance with part 26. For further guidance, contact the FTA Regional Civil Rights Officer in the FTA regional office in which the recipient is located.

## **6. Debarment and Suspension**

**DEBARMENT AND SUSPENSION.** The purpose of the USDOT Nonprocurement Suspension and Debarment regulations (2 CFR part 1200) is to ensure that federal assistance funds are not provided to anyone who has been debarred, suspended, determined ineligible, or voluntarily excluded from participation in federally assisted transactions. The U.S. General Services Administration's (GSA) System for Award Management (SAM) provides a single comprehensive list of individuals and firms

excluded by federal government agencies from receiving federal contracts or federally approved subcontracts and from certain types of federal financial and nonfinancial assistance and benefits. GSA maintains a website, at <https://www.sam.gov>, which is updated in real time as changes to the data occur.

## **7. Financial Management**

Subrecipients that are not states. The financial management system for subrecipients that are not states must meet the standards set forth in 49 CFR 18.20(b) of the common grant rule. These standards include:

- a. Financial reporting. Accurate, current, and complete disclosure of the financial results of financially assisted activities must be made in accordance with the financial reporting requirements of the grant or subgrant.
- b. Accounting records. Subrecipients must maintain records that adequately identify the source and application of funds provided for financially assisted activities. These records must contain information pertaining to designated recipient or subrecipient awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income.
- c. Internal control. Effective control and accountability must be maintained for all subrecipient cash, real and personal property, and other assets. Subrecipients must adequately safeguard all such property and must ensure that it is used solely for authorized purposes.
- d. Budget control. Actual expenditures or outlays must be compared with budgeted amounts for each grant or subgrant. Financial information must be related to performance or productivity data, including the development of unit cost information whenever appropriate or specifically required in the grant agreement. If unit cost data are required, estimates based on available documentation will be accepted whenever possible.
- e. Allowable cost. Applicable Office of Management and Budget (OMB) cost principles, FTA program regulations, and the terms of the FTA master agreement and grant agreements will be followed in determining the reasonableness, allowability, and allocability of costs.
- f. Source documentation. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payroll, time and attendance records, contract and subgrant award documents, etc.
- g. Cash management. Procedures for minimizing the time elapsing between the transfer of funds from the U.S. Treasury and disbursement by designated recipients and subrecipients must be followed. Designated recipients must establish reasonable procedures to ensure the receipt of reports on subrecipients' cash balances and cash disbursements in sufficient time to enable them to prepare complete and accurate cash transactions reports to FTA. Designated recipients must monitor cash drawdowns by their subrecipients to ensure that they conform

substantially to the same standards of timing and amount as apply to advances to the designated recipients.

## **8. Allowable Costs**

ALLOWABLE COSTS. Office of Management and Budget (OMB) Circular A–87 (codified at 2 CFR part 225) provides the federal guidelines for allowable costs for recipients that are governmental authorities. OMB Circular A–122 (codified at 2 CFR part 230) provides comparable guidance for nonprofit organizations. Expenses such as indirect costs or payments to a self-insurance fund must be documented appropriately. The restrictions on advertising and public relations in A–87 permit advertising and public relations for “specific purposes necessary to meet the requirements of the federal award.” Similar provisions are also contained in A–122. Transit marketing and promotion are allowable project costs under these provisions, since transit ridership is the ultimate purpose of the federal grant.

## **9. Procurement Restrictions**

PROCUREMENT RESTRICTIONS. A subrecipient seeking federal assistance pursuant to the federal transit laws as codified at 49 U.S.C. 5301 *et seq.* to acquire property or services in support of a proposed project is subject to numerous provisions of law pertaining to third party procurement requirements. FTA’s procurement requirements are codified at 49 U.S.C. 5325. In addition, regulations promulgated at 49 CFR part 18 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) establish uniform administrative rules for federal grants, cooperative agreements and subawards to state, local, and Indian tribal governments (private, nonprofit organizations must comply with similar regulations in 49 CFR part 19). Provisions of the common rule pertaining to procurement requirements for FTA recipients are set forth at 49 CFR 18.36. Those requirements, as well as other FTA specific provisions, are also set forth in FTA’s master agreement (FTA MA(21) October 1, 2014, as amended) at Section 17, “Procurement,” updated annually with the issuance of each new master agreement. Finally, FTA has published additional guidance relative to recipients’ compliance with third party procurement requirements within the current FTA Circular 4220.1 and its “Best Practices Procurement Manual.” The regulations and guidance are intended to ensure full and open competition and equitable treatment of all potential sources in the procurement process including planning, solicitation, award, administration, and documentation of all federally funded contracts.

## **10. Environmental Reviews**

ENVIRONMENTAL REVIEWS. Most FTA Section 5310 vehicle projects, mobility management projects and mobility service projects are categorically excluded by type from any further environmental review. All projects seeking FTA financial assistance require compliance with the National Environmental Policy Act (NEPA) implementing regulations (40 C.F.R. § 1500-1508), FHWA and FTA’s Environmental Impact and Related Procedures (23 C.F.R. § 771), Efficient Environmental Reviews for Project Decision-making (23 U.S.C. § 139), and numerous other environmental laws, regulations, and orders such as Section 106 of the National Historic Preservation Act (36 CFR 800), the Clean Water Act, and the Endangered Species Act. Project sponsors should consult with the FTA regional office early in project development to identify the appropriate class of action (categorical exclusion, environmental assessment, or environmental impact

statement) for the NEPA review and any other environmental requirements. Project sponsors of construction projects should not move forward with any steps to develop the project that would preclude the fair consideration of alternatives (e.g., engineering and construction) until FTA concludes the NEPA process by issuing a record of decision (ROD), finding of no significant impact (FONSI), or a categorical exclusion (CE). Property acquisition, other than for the linear right-of-way needed for the project (as determined in close consultation with FTA staff), should not take place until a ROD, FONSI, or CE is issued.

## **11. Environmental Justice**

ENVIRONMENTAL JUSTICE. Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, requires the U.S. DOT and the FTA to make environmental justice (EJ) part of our mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects on our programs, policies, and activities on minority populations and/or low-income populations. Environmental justice at FTA includes incorporating environmental justice and nondiscrimination principles into transportation planning and decision-making processes as well as project-specific environmental reviews. FTA Circular 4703.1 “Environmental Justice Policy Guidance for Federal Transit Administration Recipients” provides FTA recipients and subrecipients with guidance and instructions necessary to carry out the executive order. The environment justice requirements are most often encountered in construction projects.

## **12. Clean Air Act**

CLEAN AIR ACT (CAA). The principal CAA requirement with which FTA-funded projects must comply is the transportation conformity rule. The conformity requirements are contained in an Environmental Protection Agency (EPA) regulation (40 CFR part 93), and they apply in nonattainment and maintenance areas only—areas that, either: (1) currently violate one or more of the National Ambient Air Quality Standards (NAAQSs) (nonattainment areas); or (2) once violated the standards but have since been redesignated to attainment status by EPA (maintenance areas). (*Note - In Missouri, the St. Louis region is a Clean Air Act non-attainment area and the Kansas City region is a Clean Air Act maintenance area. The remainder of the State of Missouri is in compliance with the Clean Air Act.*) The transportation conformity process applies not only to federally funded projects but also to long-range transportation plans and TIPs. Determining conformity for transportation plans and TIPs is the responsibility of the MPO, and FHWA and FTA must review the conformity determination and issue a statement saying that the plan and/or TIP conforms. Determining conformity for individual projects is the project sponsor’s responsibility, and FTA and/or FHWA must review this determination and issue a statement, usually in the context of the environmental decision document, saying that the project conforms.

The transportation conformity regulation reserves detailed air quality analysis for large projects that have the potential to create new violations or make existing violations worse. There is also a list of exempt highway and transit projects in the regulation that does not require any analysis, which can be found at 40 CFR 93.126. Many transit projects are exempt from the conformity requirements and can be processed expeditiously. Regardless of the type of project being considered, early consultation

with FTA is essential for proposed projects in nonattainment and maintenance areas to establish what the requirements are and how best to satisfy them. The planning and environmental staff in FTA regional offices are the best points of contact for air quality and transportation conformity issues.

### **13. Private Sector Participation**

**PRIVATE SECTOR PARTICIPATION.** Federal law requires the public to be involved in the transportation planning process, and specifically requires that private providers be provided an opportunity to be consulted in developing transportation plans and programs in both urbanized and rural areas. Public involvement processes must be proactive and provide complete information, timely public notice, full public access to key decisions, and opportunities for early and continuing involvement throughout the transportation planning and programming process. Private non-profit subrecipients are encouraged to participate in local / regional transportation planning processes conducted by either rural Regional Planning Commissions (RPCs) and/or urbanized Metropolitan Planning Organization (MPOs). The RPCs and MPOs in Missouri develop the Public Transit – Human Service Transportation Coordination Plans that determine the types of Section 5310 projects that are eligible for funding.

### **14. Real Property Acquisition & Relocation Assistance**

**REAL PROPERTY ACQUISITION AND RELOCATION ASSISTANCE.** If a subrecipient intends to use federal financial assistance in a project which will require real property, the subrecipient must provide assurances—required by Sections 305 and 210 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act)—that it will comply with the Uniform Act and with U.S. DOT implementing regulations (49 CFR part 24).

DOT regulations at 49 CFR part 24 implement a government-wide regulation that applies to all federal or federally assisted activities that involve the acquisition of real property or the displacement of people. As such, the regulation is specific in naming certain actions that must be taken to achieve uniformity in the treatment of property owners and displaced people. Grantees in the process of planning a federally assisted project that will require the displacement of people should be aware of the regulatory need for relocation planning during the early stages of project development.

The 49 CFR part 24 regulation is available from the Government Printing Office website at: [http://www.access.gpo.gov/nara/cfr/waisidx\\_99/49cfr24\\_99.html](http://www.access.gpo.gov/nara/cfr/waisidx_99/49cfr24_99.html). Upon request, FTA regional offices can provide a copy of the uniform act or regulation in its amended form. In addition, the subrecipient should inform itself of state laws regarding compensation for real property and requirements for relocation of people and personal property.

Real property may be contributed as part of the local matching share. Credit can be allowed only for that portion of the property needed to carry out the scope of the project. Federal funds must not have been used to purchase any property proposed as local matching share. The contribution-in-kind property will be valued at its current

market value and when incorporated into the project will be subject to the same reporting and disposition requirements required of all project property. Please consult with MoDOT's Transit Section or the FTA regional office about any property issues.

## 15. Labor Protections

- a. Davis-Bacon Act. For FTA programs, 49 U.S.C. Section 5333(a) applies Davis-Bacon Act prevailing wage requirements. This provision applies only to construction projects. In the event that a project involves construction, Section 5333(a) requires the Secretary to ensure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of loans or grants under 49 U.S.C. Chapter 53 be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Secretary may not approve any such loan or grant without first obtaining assurance that required labor standards would be maintained upon the construction work. This assurance is obtained when recipients accept grant funds and sign FTA's master agreement.
- b. Transit Employee Protection. Title 49 U.S.C. Section 5333(b) does not apply to the Section 5310 program.

## 16. Civil Rights

CIVIL RIGHTS. The subrecipient agrees to comply with all applicable civil rights statutes and implementing regulations including, but not limited to, the following:

- a. Nondiscrimination in Federal Transit Programs. The subrecipient agrees to comply, and assures the compliance of each third party contractor at any tier and each subrecipient at any tier under the project, with the provisions of 49 U.S.C. 5332. These provisions prohibit discrimination on the basis of race, color, religion, national origin, sex, age, and disability, and prohibit discrimination in employment or business opportunity.
- b. Nondiscrimination on the Basis of Disability. The subrecipient agrees to comply, and assures the compliance of each third party contractor and each subrecipient at any tier of the project, with the applicable laws and regulations, discussed below, for nondiscrimination on the basis of disability.
  - (1) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), prohibits discrimination on the basis of disability by recipients of federal financial assistance.
  - (2) ADA, as amended (42 U.S.C. 12101 *et seq.*), prohibits discrimination against qualified individuals with disabilities in all programs, activities, and services of public entities, as well as imposes specific requirements on public and private providers of public transportation.

- (3) DOT regulations implementing Section 504 and the ADA include 49 CFR parts 27, 37, 38, and 39. Among other provisions, the regulations specify accessibility requirements for the design and construction of new transportation facilities and vehicles; require that vehicles acquired (with limited exceptions) be accessible to and usable by individuals with disabilities, including individuals using wheelchairs; require public entities (including private entities “standing in the shoes” of a public entity as a subrecipient or under a contract or other arrangement) providing fixed-route service to provide complementary paratransit service to individuals with disabilities who cannot use the fixed-route service; and include service requirements intended to ensure that individuals with disabilities are afforded equal opportunity to use transportation systems.
  - (4) Providers of demand responsive service must utilize accessible vehicles, as defined at 49 CFR 37.7 or meet the applicable equivalent service standard. For private and public entities, the service must be equivalent in regard to schedules, response times, geographic areas of service, hours and days of service, availability of information, reservations capability, constraints on capacity or service availability, and restrictions based on trip purpose.
  - (5) Providers of fixed-route service must generally utilize accessible vehicles. Private entities may utilize nonaccessible vehicles if they can provide equivalent service in terms of schedules and headways, in addition to the equivalent service requirements described above for demand responsive service. Public entities must also provide complementary paratransit service to fixed-route service as defined in 49 CFR 37.121.
  - (6) In addition, subrecipients of any FTA funds should be aware that they also have responsibilities under Titles I, II, III, IV, and V of the ADA in the areas of employment, public services, public accommodations, telecommunications, and other provisions, many of which are subject to regulations issued by other federal agencies.
- c. Nondiscrimination—Title VI. The subrecipient agrees to comply, and assures the compliance of each third party contractor and each subrecipient at any tier of the project, with all of the following requirements under Title VI of the Civil Rights Act of 1964
- (1) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d *et seq.*), provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
  - (2) U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act,” 49 CFR part 21.



- (3) FTA Circular 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients.” This document provides FTA subrecipients with guidance and instructions necessary to carry out DOT Title VI regulations (49 CFR part 21), and DOT Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (LEP) Persons.
  - (4) U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, December 14, 2005). This guidance clarifies the responsibilities of recipients and subrecipients of federal financial assistance from DOT and assists them in fulfilling their responsibilities to LEP persons, pursuant to Title VI of the Civil Rights Act of 1964 and Executive Order 13166.
  - (5) FTA Circular 4703.1 “Environmental Justice Policy Guidance for Federal Transit Administration Recipients.” This document provides FTA subrecipients with guidance and instructions necessary to carry out U.S. DOT Order 5610.2 to Address Environmental Justice in Minority Populations and Low-Income Populations, and Executive Order 12898 on Environmental Justice that describes the process that the Office of the Secretary of Transportation and each operating administration will use to incorporate environmental justice principles into existing programs, policies, and activities.
  - (6) U.S. DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations. DOT Order 5610.2 describes the process that the Office of the Secretary of Transportation and each operating administration will use to incorporate environmental justice principles (as embodied in Executive Order 12898 on Environmental Justice) into existing programs, policies, and activities.
- d. Equal Employment Opportunity. The subrecipient agrees to comply, and assures the compliance of each third party contractor and each subrecipient at any tier of the project, with all equal employment opportunity (EEO) requirements of Title VII of the Civil Rights Act of 1964, as amended, (42 U.S.C. 2000e), and with 49 U.S.C. 5332 and any implementing regulations DOT may issue.
  - e. Nondiscrimination on the Basis of Sex. The subrecipient agrees to comply with all applicable requirements of Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681 *et seq.*), with DOT implementing regulations, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 25.
  - f. Nondiscrimination on the Basis of Age. The subrecipient agrees to comply with all applicable requirements of the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 *et seq.*), and Department of Health and Human Services’ implementing regulations, “Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance” (45 CFR part 90), which prohibit discrimination against individuals on the basis of age. In addition, the recipient agrees to comply with all applicable requirements of the Age Discrimination in



Employment Act (ADEA), 29 U.S.C. 621 through 634, and Equal Employment Opportunity Commission (EEOC) implementing regulations, “Age Discrimination in Employment Act” (29 CFR part 1625), which prohibit employment discrimination against individuals on the basis of age.

- h. Disadvantaged Business Enterprise (DBE). To the extent required by federal law, regulation, or directive, the recipient agrees to take the following measures to facilitate participation by DBEs:

- 1 The recipient agrees and assures that it will comply with MAP-21 Section 1101(b) (23 U.S.C. 101 note), which directs the Secretary of Transportation to expend not less than 10 percent of authorized federal funds with DBEs. This 10 percent national goal is aspirational and is used by DOT to help monitor and evaluate DBE participation in DOT-assisted contracting opportunities.
- 2 The recipient agrees and assures that it will comply with DOT regulation, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs,” 49 CFR part 26. Among other provisions, this regulation requires certain recipients of DOT federal financial assistance, namely state and local transportation agencies, to establish goals for the participation of disadvantaged entrepreneurs and certify the eligibility of DBE firms to participate in their DOT-assisted contracts.
- 3 The recipient agrees and assures that it shall not discriminate on the basis of race, color, sex, or national origin, in the award and performance of any third party contract, or subagreement supported with federal assistance derived from DOT, or in the administration of its DBE program, and will comply with the requirements of 49 CFR part 26. The recipient agrees to take all necessary and reasonable steps set forth in 49 CFR part 26 to ensure nondiscrimination in the award and administration of all third party contracts and subagreements supported with federal assistance derived from DOT. As required by 49 CFR part 26 and approved by DOT, the recipient’s DBE program is incorporated by reference and made part of the grant agreement or cooperative agreement. The recipient agrees that implementation of this DBE program is a legal obligation, and that failure to carry out its terms shall be treated as a violation of the grant agreement or cooperative agreement. Upon notification by DOT to the recipient of a failure to implement its approved DBE program, DOT may impose sanctions as provided for under 49 CFR part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001, and/or the Program Fraud Civil Remedies Act, (31 U.S.C. 3801 *et seq*).

For further guidance, refer to the federal laws, regulations, and executive orders cited in this chapter. FTA’s regional civil rights officers or headquarters civil rights staff will also provide current guidance upon request.

## **17. Charter Bus Service**

CHARTER BUS SERVICES. Title 49 U.S.C. 5323(d) limits charter service provided by federally assisted public transportation operators. FTA regulations specify these limitations in 49 CFR part 604—Charter Service, amended effective April 30, 2008 (73 FR

2326, Jan.14, 2008). Each subrecipient must enter into an agreement with MoDOT and FTA that the subrecipient will not engage in charter service unless permitted by FTA charter service regulations. FTA includes that agreement in its annual publication of certifications and assurances. Charter service is defined based on whether a third party requests the service or whether the transit agency initiates the service. If a third party requests service, FTA will utilize four characteristics of charter service to determine whether the proposed service meets the definition of charter. If a transit agency initiates the service, FTA will look at whether the transit agency also charges a premium fare or accepts a subsidy from a third party.

In addition, the charter rule established a new electronic database. Interested private operators must register at the FTA charter registration website ([http://www.fta.dot.gov/laws/leg\\_reg\\_179.html](http://www.fta.dot.gov/laws/leg_reg_179.html)) in order to receive notice from transit agencies regarding potential charter trips. Private operators may register their geographic area by zip code. When a transit agency / subrecipient receives a request for charter service that does not fit within one of the other exceptions outlined in the rule, and it is interested in performing the service, it must send notice to all private operators registered in the recipient's geographic service area. The notice sent by the transit agency must conform strictly to the requirements of the rule, as additional information may void the notice and may subject the transit agency / subrecipient to a complaint from registered charter providers. The rule also provides for a detailed complaint process for addressing potentially frivolous complaint filings, in addition to complaints against transit agencies / subrecipient that violate the regulation, and a complaint process for removing private registered providers if they are abusing the process. The rule contains hearing procedures, appeal procedures, and several appendices to assist transit agencies / subrecipients with compliance, including a penalty matrix and a series of frequently asked questions and answers.

The charter rule defines a qualified human service organization (QHSO) as an organization that serves persons who qualify for human service or transportation-related programs or services due to disability, income, or advanced age. The term QHSO is used consistent with the president's executive order on human service transportation coordination (February 24, 2004). If an organization serving seniors or individuals with disabilities receives Section 5310 funding, directly or indirectly, the QHSO is not required to register on the FTA charter registration website.

Appendix C to 49 CFR part 604 provides the following additional guidance: Q: If I receive funds under 49 U.S.C. Sections 5310, 5311, 5316, or 5317, may I provide charter service for any purpose? A: No. You may only provide charter service for "program purposes," which is defined in this regulation as "transportation that serves the needs of either human service agencies or targeted populations (elderly, individuals with disabilities, and/or low income individuals) \* \* \*" 49 CFR Section 604.2(e). Thus, your service only qualifies for the exemption contained in this section if the service is designed to serve the needs of targeted populations. Charter service provided to a group, however, that includes individuals who are only incidentally members of those targeted populations, is not "for program purposes" and must meet the requirements of the rule (e.g., an individual chartering a vehicle to take their relatives including elderly aunts and a cousin who is a disabled veteran to a family reunion).

## **18. Drug and Alcohol Testing**

**DRUG AND ALCOHOL TESTING.** Subrecipients that receive only Section 5310 program assistance are not subject to FTA’s drug and alcohol testing rules, but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for all employees who hold commercial driver’s licenses (49 CFR part 382). Section 5310 recipients and subrecipients that also receive funding under one of the covered FTA programs (Section 5307, 5309, or 5311) should include any employees funded under Section 5310 projects in their testing program.

An FTA compliant testing program, as required by the receipt of FTA operating or capital funding (5307, 5309, 5311), may be used for Section 5310 employees; there is no need to have separate testing programs. Employees of a subrecipient of Section 5310 funds from a state or designated recipient of another FTA program (e.g., 5307 or 5311) should also be included in the subrecipient’s testing program.

States and designated recipients that receive funds for Sections 5307, 5309, or 5311, in addition to Section 5310, should consult FTA’s regulation at 49 CFR part 655, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations.” The regulation applies to recipients of funds identified above. The regulation requires that FTA recipients follow the drug and alcohol testing procedures found in applicable FTA (49 CFR part 655) and DOT (49 CFR part 40) regulations.

Technical assistance materials and training information to help recipients implement the rules are available at FTA’s website <http://www.fta.dot.gov> or through contacting the FTA Office of Safety and Oversight, FTA Headquarters.

## **19. Restrictions on Lobbying**

**RESTRICTIONS ON LOBBYING.** Federal financial assistance may not be used to influence any member of Congress or an officer or employee of any agency in connection with the making of any federal contract, grant, or cooperative agreement. The state, subrecipients, and third party contractors at any tier awarded FTA assistance exceeding \$100,000 must sign a certification so stating and must disclose the expenditure of nonfederal funds for such purposes (49 CFR part 20).

Other federal laws also govern lobbying activities. For example, federal funds may not be used for lobbying congressional representatives or senators indirectly, such as by contributing to a lobbying organization or funding a grass-roots campaign to influence legislation (31 U.S.C. 1352). These laws do not prohibit general advocacy for transit. Providing information to legislators about the services a recipient provides in the community is not prohibited, nor is using nonfederal funds for lobbying, so long as the required disclosures are made.

## **20. Safety and Security**

**SAFETY AND SECURITY.** MAP-21 amended 49 U.S.C. 5329 to provide FTA with the authority to establish a new comprehensive framework to oversee the safety of public transportation throughout the United States. The law requires, among other things, that FTA issue a National Public Transportation Safety Plan, establish safety performance criteria for all modes of public transportation, define a “state of good repair,” establish minimum safety performance standards for public transportation vehicles, and a safety certification training program for transit agency and state safety oversight (SSO) staff responsible for safety oversight. States are required to strengthen their SSO programs and submit the programs to FTA for certification. In addition, public transportation agencies must establish comprehensive agency safety plans for their rail and bus operations. FTA will issue interim guidance and regulations to implement these new requirements in consultation with public transportation industry stakeholders.

**Note:** FTA has entered into a Memorandum of Understanding (MOU) with the American Association of State Highway and Transportation Officials (AASHTO), the American Public Transportation Association (APTA), and the Community Transportation Association of America (CTAA) that supports the transit industry and federal commitment to bus safety, and supports a model bus safety program to which all the signatories of this agreement have agreed to subscribe. The program also focuses on addressing the needs of rural and small urban providers. The MOU is available on FTA’s bus safety website: [http://bussafety.fta.dot.gov/show\\_resource.php?id=3949](http://bussafety.fta.dot.gov/show_resource.php?id=3949)

## **21. Lease versus Buy Considerations (see also page 45)**

**LEASE VERSUS BUY CONSIDERATIONS.** A subrecipient may use capital funds to lease capital assets from another party in cases where it is determined that leasing would be more cost effective than either purchasing or constructing the asset. All recipients and subrecipients, including those using pre-award authority, must conduct the cost comparison before entering into the lease. Recipients and subrecipients should refer to regulations for further details on conducting the cost effectiveness comparison (49 CFR part 639).

Potential sub-recipients should submit the cost comparison to MoDOT’s Transit Section that will in-turn submit the cost comparison to the appropriate FTA regional office for review before entering into the lease or before approval of the grant that supports the lease. The cost comparison should be retained on file for later review or audit. When a subrecipient intends to enter into a lease of considerable duration (rather than paying for the lease in a lump sum at the beginning of the lease period), then the subrecipient must be able to complete the acquisition with local funds in the event FTA funds are not available in later years.

## **22. School Bus Transportation**

**SCHOOL BUS TRANSPORTATION.** Title 49 U.S.C. 5323(f) prohibits the use of FTA funds for exclusive school bus transportation for school students and school personnel. The implementing regulation (49 CFR part 605) does permit regular service to be modified to accommodate school students along with the general public (“tripper service”). For the purpose of FTA’s school bus regulation, Head Start is considered a social service, not a

school program. Rules for the Head Start program limit the types of vehicles that may be used to transport children participating in a Head Start program.

**23. Commercial Driver's License (CDL)**

COMMERCIAL DRIVER'S LICENSE (CDL). All drivers of motor vehicles designed to transport sixteen (16) or more passengers (including the driver) or of vehicles which have a gross combination weight rating of 26,001 pounds or more must have a CDL. Mechanics that drive the vehicles must also have a CDL.

**B. MoDOT Monitoring Through Reporting & On-site Visits**

MoDOT's Transit Section undertakes oversight of subrecipient compliance with Section 5310 grant requirements through periodic reports submitted by subrecipients to MoDOT as well as by in-person visits to subrecipient project sites. Those on-site sub-recipient visits are conducted either by MoDOT Transit Section staff and/or by MoDOT retained consultants. MoDOT employs a risk based approach to identify how frequently those Section 5310 compliance site visits occur.

**XVII. Project Implementation Closeout**

**A. Vehicle Projects**

The implementation phase of a Section 5310 vehicle project is considered "closed out" when the vehicle has been delivered, accepted, paid, licensed, insured and the Department of Revenue vehicle title indicates MoDOT is shown as the first lien holder and that title document is physically filed in MoDOT's grant funded transit vehicles title safe.

**B. Equipment Projects,**

The implementation phase of a Section 5310 funded equipment project is considered "closed out" when the equipment has been delivered, accepted, paid and reimbursement has been made to the sub-recipient that has documented to MoDOT the equipment acquired in sufficient descriptive terms to log the equipment into inventory.

**C. Construction Projects,**

The implementation phase of a Section 5310 funded construction project is considered closed out when all inspection issues have been resolved, all payment disputes have been resolved, all contractor and sub-contractor payments have been made, all disadvantaged business enterprise (DBE) project reporting has been accomplished, and where real estate titling is involved, all title work has been completed.

**D. Mobility Service Projects,**

The implementation phase of a Section 5310 funded mobility service project is considered closed out when all Section 5310 funds budgeted for a specific mobility service project in a particular grant have been drawn-down to zero dollars (\$0) as a

result of grant reimbursements paid to the subrecipient for eligible costs associated with the mobility service project .

**E. Mobility Management Projects**

The implementation phase of a Section 5310 funded mobility management project is considered closed out when all Section 5310 funds budgeted for a specific mobility service project in a particular grant have been drawn-down to zero dollars (\$0) as a result of grant reimbursements paid to the subrecipient for eligible costs associated with the mobility management project .

**XVIII. Grant Closeout**

**A. Grant Closeout Procedure**

Sub-recipient grants are considered closed out when either: 1) all funds in a particular grant for project(s) budgeted to a specific subrecipient are at a zero (\$0) balance; 2) all projects in a particular grant to a specific subrecipient are fully completed irrespective of the fund balance (but in no case less than a zero dollar balance); 3) the time period of the initial subrecipient grant agreement expires and MoDOT chooses not to extend the project time period; 4) the subrecipient chooses to withdraw the project after grant execution, but before any reimbursement payments for eligible grant activity have taken place.

**XIX. Activities After Grant Closeout**

**A. Reporting**

As long as Section 5310 projects are owned or active, even for vehicles operated beyond their minimum useful life, the periodic reporting described in Section XV is required.

**B. Grant Requirements Compliance and Compliance Oversight**

As long as any Section 5310 project are owned or active, then the grant requirements remain in force and the subrecipient is subject to compliance oversight, including site visits.

**C. Transit Asset Management**

As of December 2014, FTA has not issued final guidance on the MAP-21 Transit Asset Management requirements. However, all subrecipients must have sufficiently detailed asset inventory records to identify its assets acquired with Section 5310 funds. All subrecipients should have a written maintenance plan for Section 5310 funded assets scheduled servicing and repair.

**D. System Safety**

As of December 2014, FTA has not issued final guidance on the MAP-21 required Transit System Safety requirements for subrecipient agencies in the Section 5310 program. Likely components include an agency-level system safety plan that describes employee / driver selection criteria, employee / driver training, vehicle maintenance, substance abuse program, security, as well as safety data collection and data analysis / review.

**E. Disposition of Assets on or after end of useful life**

At a time near the end of an assets useful life, subrecipients must contact MoDOT's Transit Section staff as well as consult MoDOT's then current State Management Plan for transit grants to determine prior to disposal the eligibility of the asset for disposal (based on miles and years for vehicles) as well as the optional methods of disposal available to a subrecipient.